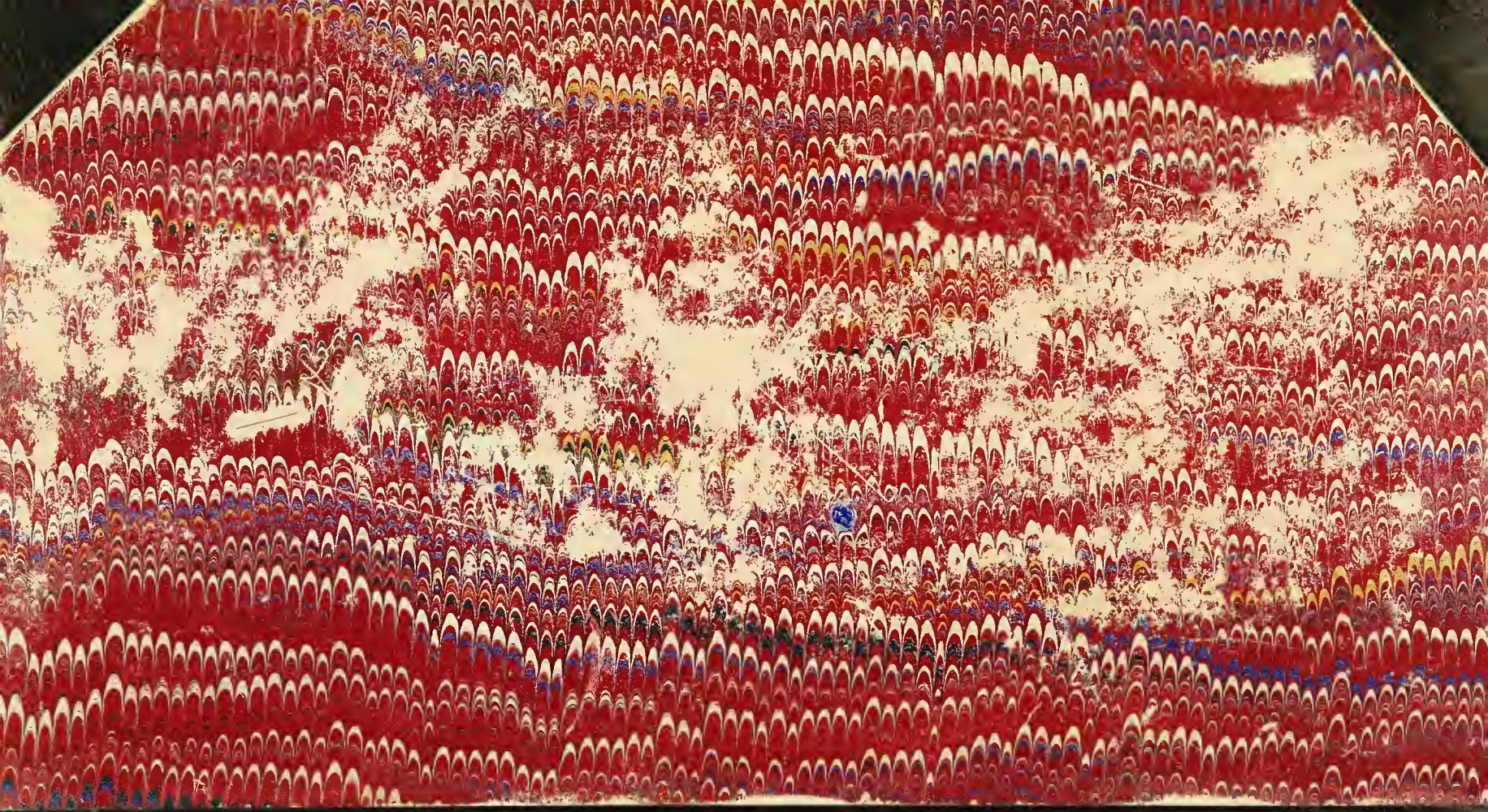

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An Address

DELIVERED BEFORE THE

NEW-YORK HISTORICAL SOCIETY,

ON ITS SIXTIETH ANNIVERSARY,

TUESDAY NOVEMBER 22, 1864.

BY

FREDERIC DE PEYSTER,

PRESIDENT OF THE SOCIETY.

NEW-YORK:
PUBLISHED FOR THE SOCIETY.
MDCCCLXV.

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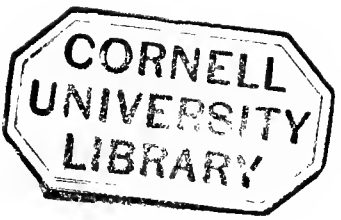

A-21213

At a ſpecial meeting of the New York Hiſtorical Society, held in its Hall, on Tueſday Evening, November 22d, 1864, to celebrate the Sixtieth Anniverſary of the founding of the Society.

"The Preſident of the Society, Frederic de Peyster, delivered the Addreſs.

"On its concluſion, Erastus C. Benedict, with ſome remarks, ſubmitted the following reſolution:

"*Reſolved*, That the thanks of the Society be preſented to its Preſident, Frederic de Peyster, Eſq., for his highly intereſting and valuable addreſs, delivered before the Society this evening, and that a copy be requeſted for publication.

"The reſolution was seconded by the Rev. John McVickar, D. D. and George Bancroft, LL. D., with remarks by each, and adopted unanimouſly."

Extract from the Minutes,

ANDREW WARNER,
Recording Secretary.

JOHN F. TROW,
PRINTER, STEREOTYPER, AND ELECTROTYPER,
50 Greene Street, New York.

OFFICERS OF THE SOCIETY

ELECTED JANUARY, 1865.

President,
FREDERIC DE PEYSTER.

First Vice-President,
THOMAS DE WITT, D.D.

Second Vice-President,
BENJAMIN ROBERT WINTHROP.

Foreign Corresponding Secretary,
GEORGE BANCROFT, LL.D.

Domestic Corresponding Secretary,
JOHN ROMEYN BRODHEAD, LL.D.

Recording Secretary,
ANDREW WARNER.

Treasurer,
BENJAMIN H. FIELD.

Librarian,
GEORGE HENRY MOORE.

EXECUTIVE COMMITTEE.

AUGUSTUS SCHELL.
ERASTUS C. BENEDICT.
BENJAMIN W. BONNEY.
SAMUEL OSGOOD, D. D.
WILLIAM CHAUNCEY.
CHARLES P. KIRKLAND.
GEORGE FOLSOM.
ROBERT L. STUART.
JOHN WILLIAM DRAPER, LL. D.

ANNIVERSARY ADDRESS.

WE are aſſembled, Fellow-members, this evening, to celebrate the Sixtieth Anniverſary of THE NEW YORK HISTORICAL SOCIETY. What memorable events mark the intervening threeſcore years in the Natural, Civil, Literary, and Eccleſiaſtical Hiſtory of our State and Country!

The preceding half century witneſſed the ſucceſs of the meaſures to which the love of Liberty earlier gave birth, in the achievement of our National Independence; and that which ſecured to the American Republic its bleſſings and ſubſtantial good, the Conſtitution, the fundamental law of the land.

Among the founders of this Society were ſome of the illuſtrious men who took an active part in the great drama, the cloſing ſcenes of which threw

below Ogdenſburgh, we deſcended the St. Lawrence in what was then known as a "*Durham boat*," without a cabin or covering to ſhield us from the weather. We reſted at night on the Canadian ſhore, in ſuch quarters as could be made moſt available to protect us from the ſeverity of the climate. The journey by land was one of peculiar hardſhip to Mr. BRADISH, from the circumſtance of his being at that time but an indifferent horſeman. Beautiful as were the ſhores of this pictureſque river, and exciting as were the ſcenes we encountered in paſſing its numerous rapids and in plunging through its foaming caſcades, still the deſcent at that ſeaſon ſubjected us to the violent blaſts and changes of weather, againſt which there was no sufficient mode of protection on our voyage to Montreal.

I allude to the circumſtances of this journey in order to bear witneſs to his uniform urbanity of manner and the kindlineſs of his diſpoſition, which were part of his very nature. The moſt annoying circumſtances neither affected the one nor diſturbed the other. The benevolence of his heart, his good ſenſe and ſound judgment, never failed to have their full influence upon all thoſe with whom he came in contact, and to mitigate or remove all oppoſing difficulties.

In the courſe of the following ſummer, I accompanied him in an excurſion through the States of Pennſylvania and New Jerſey, with ſimilar reſults and an increaſed admiration of his ſocial and intellectual qualities. On one occaſion we were in immediate peril of our lives; but Mr. BRADISH did not

loſe his ſelf-poſſeſſion, and by his prudent caution facilitated our eſcape. There were many occaſions which would have excuſed a diſplay of contrary qualities; but he ſeemed ever to act the part of a Chriſtian gentleman. It affords me peculiar ſatisfaction to bear this teſtimony to the character of one whom, on a former occaſion, I ſtated was like CATO, as deſcribed by SALLUST, who choſe rather to be, than to ſeem, good—"*eſſe, quam videri, bonus malebat.*"

So full was the teſtimony borne to his character as a Scholar, Stateſman, Legiſlator, and Judge, and of his conſiſtent Chriſtian walk during his long and uſeful life, on the occaſion of the commemorative proceedings in this hall conſequent upon his deceaſe, that I proceed at once to mention a few additional circumſtances, illuſtrative of the cloſing events of his life, which came under my obſervation, or which were communicated to me by perſons converſant with them.

A few months before his death, he overtook a mutual friend on her way to Grace Church (of which they were both members), and on her alluding to his punctual attendance, he replied: "I wiſh to avail "myſelf of the opportunity of hearing 'The Decla- "ration' pronounced to the truly repentant and be- "lieving, of the remiſſion of ſins in the Saviour's "name. All of us may receive benefit from its repe- "tition." [1]

Before Mr. BRADISH left the city for his uſual ſummer ſojourn in the country, in the ſpring of 1863,

[1] Book of Common Prayer, Morning and Evening Service.

I met him occaſionally about the hour of evening prayer, coming from or going to Trinity Church. His countenance at ſuch times was much more grave than uſual, and he took no notice of the paſſing crowd, as was his cuſtom, in order to return a friendly ſalutation. For ſome time previous I had noticed ſymptoms of his failing health, and felt fully perſuaded that he was conſcious of his decreaſing hold on life.

In my boyhood, I had noticed in the churchyard of that venerable Church a monumental ſlab, near the tomb of ALEXANDER HAMILTON, on which are engraved only theſe tenderly expreſſive words, "MY MOTHER," and underneath theſe two words, "*The trumpet ſhall ſound, and the dead ſhall ariſe.*" What availed to the ſorrowing heart of the afflicted mourner (whoſe filial piety had raiſed this impreſſive monument), family diſtinction, worldly renown, or ſocial poſition? Without a doubt as to the reſurrection of the dead at the laſt trump, faith in Him in whom ſhe did believe, made this aſſurance certain, that the beloved being whoſe remains lay there entombed, would then *ariſe* to life immortal, "an angel in heaven."

The firm faith which the ſelection of this text exhibited, was by some unaccountable aſſociation in my mind connected with my lamented friend, on the occaſions to which I have juſt referred. I felt aſſured that the final ſummons would find him "watching." Before leaving the city for his accuſtomed abode in the country, he called to ſee me at my houſe, and ſpoke with deep intereſt of the

propoſed "Hiſtorical Muſeum" in the Central Park, in the completion of which he took the deepeſt intereſt; and he propoſed to unite with me, on his return, in the proſecution of every practicable meaſure to inſure its ſucceſs. This was our laſt interview! It was with a ſaddened heart I heard of his death. It was the rending of the chain which had for ſo many years united me to him, in the bond of friendſhip and in kindred purſuits. As his life was faſt ebbing away, this faithful ſoldier of the Croſs, ready to depart, ſaid to a ſympathizing friend beſide him, "*All is well*," and ſoon after cloſed his eyes in death.

"To others Death ſeems dark and grim,
But not, Thou Life of life, to me;
I know Thou ne'er forſakeſt him
Whoſe heart and ſpirit reſt in Thee.
Oh! who would fear his journey's cloſe,
If from dark woods and lurking foes,
He then find ſafety and releaſe?
Nay, rather with a joyful heart
From this dark region I depart,
To Thy eternal light and peace."[1]

—Thus, all was well![2]

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[1] "Lyra Germanica," Deſzler, 1692.

[2] LUTHER BRADISH, LL.D., died at Newport, R. I., on Sunday, Auguſt 30, 1863, in the eightieth year of his age. He became a member of the Society in 1817, and was choſen to be one of its Vice-Preſidents in 1845. Upon the deceaſe of ALBERT GALLATIN, in 1849, Mr. BRADISH was elected, in January, 1850, Preſident of the Society; and was annually re-elected to the ſame office, the duties of which he continued to diſcharge with diſtinguiſhed ability until his death. His remains lie buried in Greenwood Cemetery.

I now proceed to the conſideration of the principal ſubject of this Addreſs—the Early Political Hiſtory of New York, which is a branch of the Civil Hiſtory of our Country and State; one of the prominent objects entruſted to the foſtering care of the Society. It requires no argument to enforce its importance. The materials relative to this ſubject have been diligently collected and faithfully preſerved in our library; and the attention of every inquirer on the ſubject has been invited to examine the treaſures which have been here gathered, while every facility is afforded to enable him to derive benefit from their contents.

The labors of the Society in this department of knowledge have been eminently uſeful; and they are known throughout the State and the Union to every one who has taken an intereſt in the hiſtory of his country.

Without attempting even to allude to thoſe inſtances which have attracted moſt attention, I may be permitted to refer to the earneſt efforts of the Society, and to their influence, in ſecuring the favorable action of the Legiſlature, when that body authorized the examination of the archives of France, Holland, and Great Britain, and the collection therefrom of materials concerning the Hiſtory of Colonial New York. And when an Agent was required, through whoſe judicious and intelligent efforts the design of the Legiſlature ſhould be carried out, or an Editor under whoſe careful ſuperviſion and ſcholarly illuſtration thoſe papers ſhould be publiſhed to the world, two of our number—JOHN ROMEYN BROD-

HEAD, Doctor of Laws, and E. B. O'CALLAGHAN, also Doctor of Laws—were ſelected for the purpoſe. How faithfully they have diſcharged their reſpective duties, and how much every hiſtorical ſtudent is indebted to their arduous and well-directed labors, I need not mention in your preſence.

The Society has alſo been the inſtrument for preſerving and reſtoring to the State Government, on more than one occaſion, important portions of its long-loſt records. The Journals of the General Aſſembly of the Province from 1766 until 1776, and that of the Aſſembly of the State for the firſt meeting of the Fourth Seſſion, both of which were printed from copies which were found only in the Library of the Society, are notable examples of its uſefulneſs in perfecting the archives of the State.

I may alſo allude, in this connection, to the great ſucceſs which has attended the labors of the Librarian of the Society, Mr. MOORE, in his patient and long-continued ſearch for others of the Journals and Statutes of the Colonial Aſſembly, ſome of which had been miſſing more than a century—a ſucceſs of which the importance to every careful ſtudent of American Hiſtory will be appreciated only when its extent and character ſhall have become more fully known.

In this haſty retroſpect of a ſmall portion of the Society's labors in this department, I may alſo juſtly and ſatisfactorily allude to the individual efforts of its members in the great cauſe of hiſtoric literature. Without diſparaging the efforts of the members generally, in their untiring efforts and their generous

liberality to promote that cauſe, and to ſecure for this City and this State the juſt degree of honor which properly belongs to each, the individual labors of our aſſociates, MOULTON, O'CALLAGHAN, SHEA, WATSON, PAULDING, VALENTINE, DAVIS, DE VOE, LOSSING, FOLSOM, FRANCIS, GEORGE H. and FRANK MOORE, IRVING, VERPLANCK, BRODHEAD, and BANCROFT, may be referred to with honeſt pride; while the earneſt and ſucceſſful defence of the peculiar claims of New York, and of her well-merited title to the honor of having led her ſiſter States in the great ſtruggle for "the rights of mankind," which has been made, ſucceſſively, in your meetings, by Rev. Doctor DE WITT, by CHARLES FENNO HOFFMAN, and by HENRY B. DAWSON, is freſh in the memory of all who have taken an intereſt in the proceedings of our Society.

The Political Hiſtory of New York, as I have ſaid, is peculiarly important. You well know that this State has been the ſcene of the moſt violent and uncompromiſing party ſtrife, from the day of its ſeizure by the Engliſh, in 1664, until the preſent hour; and in no portion of our country have the politics of the day aſſumed greater importance in the hiſtory of our times.

In the earlier days of the Colony the ſtruggle was one of antagoniſtic races; later it became a conteſt for political power between leading rival families; and later ſtill it was a war of principles, in which the unfranchiſed, unrepreſented, and unhonored maſſes of the Coloniſts, led by a few able and daring "Sons of Liberty," contended with the Sovereign and with

his Miniſters and with thoſe who ſympathized with them, for their birthrights as Engliſhmen and for their political manhood. Theſe were followed by the organized ſtruggles of the more modern political parties, each ſeeking the maſtery; and Republicans[1] and Federaliſts,[2] Clintonians and Bucktails, Whigs and Democrats, and theſe, alſo, "native here and to the manor born," Barnburners and Hunkers, Silver-Greys and Woolly-Heads, Loco-Focos, Hard-Shells

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[1] It is an intereſting fact, now little known, that the Democratic party, in its earlier days, was thus deſignated; and that The Tammany Society, for many years paſt ſo influential in the politics of the State and Union, officially recognized that title as the name of its party.

Thus, in 1809, when that body determined to erect a hall for its accommodation—the "Tammany Hall" of to-day—it paſſed a "Law," ſo called, for the "Building of a Wigwam," of which the following is the Preamble:

"*Whereas*, ſeveral members of the Tammany Society, or Columbian "Order, have voluntarily offered to ſubſcribe moneys for the purchaſe of "ground and the erection of a Wigwam for the uſe of the Inſtitution and "the general accommodation of *Republicans*," &c.—*The Croakers* (*Bradford Club Edition*), 155.

[2] The great political parties in the State of New York aroſe from the conflicting ſentiments concerning the extent of power which was neceſſary to enable the Congreſs of the United States to diſcharge the duties to which it was appointed; but they did not aſſume diſtinct organizations until the propoſed Conſtitution for the United States was preſented to the State for its approval and ratification.

The opponents of the Conſtitution called themſelves *Federaliſts*; but the friends of the meaſure claiming alſo to be Federaliſts, the former, in contradiſtinction, became known as *Ante-Federaliſts*—a name which ſoon gave way to that of *Republicans*; by which the opponents of a centralization of power in the Federal authorities were known for many years.

After ſeveral changes, both in name and organization, the *Federaliſts* gave way to the modern *Whigs*; while the *Republicans*, with the prefix of *Democratic*—which was probably aſſumed to diſtinguiſh them from the *National Republicans*, one of the offshoots of the *Federaliſts*—continue, with various modifications in its platform, the oppoſition party of to-day.

and Soft-Shells, have ſucceſſively appeared and vaniſhed, while the War and Peace Democrats and the Union-men and Republicans of to-day, in their turn, are actively performing their reſpective parts in the great drama; affording to those who ſhall follow us, either an empty name—"*genus et nomen inutile*"—or ſound leſſons of political wiſdom and freſh ſubjects for the pen and the pencil.

During the firſt of theſe periods, from the very nature of things, the Engliſh and thoſe who came with them into the Colony were conſidered intruders and enemies by the Dutch, and by the great number of thoſe who were within the Colony at the time of the ſurrender.

The firſt of theſe parties was a conqueror, fluſhed with a bloodleſs victory; haughty and overbearing in his intercourſe with the Coloniſts, and extremely impatient of the leaſt oppoſition; the laſt were a conquered people, chafing under the political and commercial diſabilities which had been unjuſtly and illegally impoſed upon them, and watchful of every opportunity to oppoſe the ruling party. The one was the *Government*, claiming and exerciſing every political power, and, as the repreſentative of the Sovereign, diſregarding every pretenſion of the inhabitants to any political rights whatever; the other was the *Governed*, claiming, in vain, all the rights of manhood and all the ſocial, political, and commercial privileges which had been guaranteed by the ruling party, in the "*Articles of Surrender*."

Deprived of the greater number of the rights and privileges which they had enjoyed before the ſurren-

der of the Colony to the Engliſh;[1] denied the enjoyment of any of the rights of Engliſhmen,[2] of which they had heard ſo much; and with the ſole right of Government veſted, without control, in their opponents;[3] the maſs of the Dutch and their ſupporters were compelled either to ſubmit to their ſocial, commercial, and political degradation in *ſilence*, or to *reſiſt* the power which oppreſſed them. The former of theſe they could not do; and they immediately united in a reſpectful but reſolute oppoſition

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[1] Liberty of conſcience was "*allowed*" to a limited extent only. (*Conditions for New Planters in the Territories of H. R. H. the Duke of York.*) Their commerce was confined to England, contrary to the ſixth Article of Capitulation, which guaranteed free commerce with Holland. (*Orders in Council, November* 18, 1668.) Many other inſtances occur, in which the inhabitants of the Colony were deprived of their political rights by their conqueror.

[2] Principal among theſe rights was that of repreſentation before the impoſition of taxes; yet taxes were levied in New York by warrants iſſued annually by the Governor and his Council on aſſeſſments which had been made by the conſtables and overſeers of the ſeveral towns, all of whom were reſponsible only to the Governor who appointed them, and not, in the remoteſt degree, to the Coloniſts among whom they exerciſed authority. (*Duke's Laws, title,* "*Public Charges.*") The right to levy impoſts, also, was exerciſed under ſpecial orders from the Duke, without reference to the Coloniſts. (*Reply to Peticons of numrs of yr Maties Cuſtoms; Inſtruccons for* EDMD ANDROS, *Eſq., my Lt Governr of Long Iſland, &c., July* 1, 1674; *Duke of York to Governor* ANDROS, *January* 28, 1676; *The ſame to the ſame, May* 7, 1677, *&c.*)

[3] The Code of Laws by which the Colony was governed was "eſtabliſhed by the authority of His Majeſty's Letters Patent, granted by His Royal Highneſs JAMES, Duke of York and Albany," and publiſhed "by virtue of a Commiſſion" from that Prince, without the recognition on his part of any rights of legiſlation either in the Coloniſts or any other body whatever (*Duke's Laws, Title*); while even the local authority of the "Court of Aſſizes" extended only to the privilege of *recommending meaſures to the Duke for his enactment,* "without whose approbation they acquired but little authority." (*Chalmers,* 574.)

to the Governor, in his earlieſt attempt to ſecure their allegiance, without recognizing their guaranteed rights; and as ſteadily and reſolutely they continued their oppoſition, and refuſed to acknowledge their allegiance to their conqueror, until they had compelled him to honor the Articles of Surrender, and to recognize and ſecure to them, as thoſe Articles had recognized and ſecured, the more important of their ſocial and political privileges.[1]

STUYVESANT and VAN CORTLANDT, and DE PEYSTER and STEENWYCK, and their aſſociates, in their early and protracted reſiſtance to arbitrary power in the Colony—a reſiſtance which was carried beyond the limits of the Colony and forced itſelf into notice within the immediate habitations of Royalty itſelf—are entitled to the higheſt reſpect of every friend of republican principles of government; and the Society will not fail to recognize in theſe the names of the earlieſt and moſt reſolute opponents of the Crown in New York.

In the ſecond era of her Political Hiſtory, New York preſented a ſpectacle which is not leſs intereſting than that to which I have already referred.

The two races, Dutch and Engliſh, by intermarriages and the lapſe of time, having gradually loſt their diſtinctive features and their early antagoniſm, the former, during the ſecond era in the Political Hiſtory of New York, was chiefly known, as a claſs,

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[1] Minutes of the Common Council of the City of New York, Friday, October 15, Tueſday, October 19, and Wedneſday, October 20, 1664, cited at length in DAWSON'S *Sons of Liberty*, &c., 14–16.

by its ſteady ſympathy with the maſſes; and it conſequently became, in many inſtances, the nucleus around which were concentrated the unorganized and ſcattered elements of oppoſition to the Government, when the Sovereign, his Miniſtry, or the local Provincial authorities, ventured to infringe more boldly than uſual on the fundamental political rights of the Coloniſts.

As inſtances of this ſympathy with the popular cauſe, which was ſhown by the great body of the Dutch in New York, and of the ſteadineſs with which the oppoſition among the Engliſh coaleſced with the former, reference may be made to the well-known troubles of which Captain JACOB LEISLER and JOHN PETER ZENGER were, reſpectively, the more prominent parties—troubles which are well known, in their general features, to every careful ſtudent of the hiſtory of New York.

In the former of theſe, as will be remembered, in 1689, the Lieutenant-Governor, NICHOLSON, was deprived of his authority by the outraged Coloniſts, headed by Captain ABRAHAM DE PEYSTER, Lieutenant HENDRICK CUYLER, JOHANNES DE PEYSTER, JAN VAN GELDER, Doctor HANS KIERSTED, ISAAC DE REIMER, JOOST STOLL, GERRITT DUYCKINCK, PETER DE LA NOY, JOHANNES VERMILJE, Doctors SAMUEL STAATS and GEORGE BEEKMAN, JOHN COWENHOVEN, and HENDRICK JANSEN—the nationality of all of whom will be readily diſtinguiſhed by their names—and the ſupreme authority within the Colony was conferred by the proviſional "Committee of Safety," which had been organized and recognized by the great

body of the inhabitants of this city and its vicinity, on Captain JACOB LEISLER, a well-known and influential inhabitant of New Amſterdam in former days, but at the time of which we ſpeak a wealthy merchant of New York.[1]

Of this protomartyr of American Independence the world knows too little; for to his earneſt and honeſt ſervices in oppoſition to monarchical uſurpation and miniſterial violations of the political rights of the subject, even the pens of republican hiſtorians have been too tardy in rendering appropriate and ſufficient honor.

Of his origin and early life we know nothing beyond the fact that he was a native of Frankfort in Germany;[2] and the earlieſt notice of him which the annals of the Colony have preſerved, indicate that he was a proſperous merchant in this city, while it was yet a dependency of the Dutch.[3] On the eighteenth of March, 1663, he was married, in the ancient Dutch Church in this city, to ELSJE TYMENS, the widow of PETER CORNELISON VANDERVEEN;[4] and ſeven children—SUSANNA, CATHARINA, JACOB, MARY,

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[1] Abſtract from Journal kept by Colonel NICHOLAS BAYARD, ſince June 11, 1689 (*N. Y. Colo. Docs.*, iii., 599); STEPHEN VAN CORTLANDT to Governor ANDROS, N. Y., 1689, July 9; A Modeſt and Impartial Narrative of Several Grievances and Great Oppreſſions, &c.; JACOB LEISLER, and others, to the King, June 23, 1690.

[2] "Introductory" to Vol. II. of *The Documentary Hiſtory*; Marriage Regiſter of the Collegiate R. D. Church in New York.

[3] Remonſtrance of the People of New Netherland to the Director-General and Council, September 5, 1664; Minutes of the Council of the Adminiſtrations of Commanders EVERTSEN and BENCKER, February 1, 1674.

[4] Marriage Regiſter of the Collegiate R. D. Church in New York.

JOHANNES, HESTER, and FRANCINA—were the fruits of this marriage.[1]

His influence was ſo great among the merchants of this city, that, in 1674, he was appointed one of the Commiſſioners (Captain MARTIN KREGIER and FRANCIS ROMBOUTS being his aſſociates) to provide means for the defence of the city;[2] and in the aſſeſſment of the property of "the beſt and moſt affluent "inhabitants of this city," in February of that year, JACOB LEISLER and JOHANNES DE PEYSTER, poſſeſſing equal amounts of property, were the ſeventh and eighth on the liſt—FREDERIC PHILIPSEN, CORNELIS STEENWYCK, NICOLAES DE MEYER, OLOF STEVENSE VAN CORTLANDT, JERONIMUS EBBINGH, and CORNELIS VAN KUYVEN alone exceeding them in the extent of their property;[3] while the BAYARDS, the MINVIELLES, the KIERSTEEDS, the VAN BRUGHES, the DE FOREESTS, the VAN DE WATERS, the VAN DER SPIEGELS, the KRIGIERS, the BEEKMANS, and, with one exception, the VAN CORTLANDTS, were far below them on the property liſts of the day.

As Mr. LEISLER had been one of thoſe who, in October, 1664, had reſolutely refuſed to take the oath of allegiance to the King of Great Britain and of obedience to his authority, until it was expreſſed in ſuch oath that ſuch allegiance and ſuch obedience were to be made "conformable to the Articles con-

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[1] Regiſter of Baptiſms in Collegiate R. D. Church in New York.

[2] Minutes of the Council of the Adminiſtrations of Commanders EVERTSEN and BENCKER, February 1, 1674.

[3] Aſſeſſment Liſts in Minutes of the Council, &c., February 19, 1674.

cluded at the Surrender of this place,"[1] it is very evident that even at that early day he was duly ſenſible of the political rights of the Coloniſts, as well as of the means which were neceſſary to protect them againſt the contingent aggreſſions of the Government. Let it not be ſuppoſed, therefore, that he was a diſintereſted ſpectator, when, in violation of the Articles of Surrender, the trade of the Colony with Holland was cut off by the Government;[2] when the outrages of WILLIAM DYER, the Duke of York's Collector of Cuſtoms in this city, led to his ſeizure by the merchants, and his depoſition from office by their authority;[3] when the Duke's Receiver-General failed to obtain any revenue, and was prevented from enforcing the laws even before the Courts of the Colony.[4]

It is true, he took no *public* part in the revolutionary meaſures of that early period; but it is incredible that, when the maſs of the Coloniſts, a few years later, conſidered the Colony and all that it contained were in extreme danger, they ſhould have looked for protection to one who had taken no inter-

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[1] Minutes of the Common Council of the City of New York, October 14th, 19th, and 20th, 1664, cited in DAWSON'S *Sons of Liberty*, 14–16. Liſt of Names of the Dutch who Swore Allegiance after the Surrender of New York, in *Colonial Documents*, iii., 76.

[2] Orders in Council, November 18, 1668.

[3] "The Bill found againſt Captain WM. DYRE," and "The Proceedings againſt Mr. DYER, Collector of the Port of New York;" Letter from the Court of Aſſizes at New York to the Secretary of State, 1681. Mr. WM. DYER'S Petition to the King.

[4] Letter of Captain BROCKHOLES to Governor ANDROS, September 17, 1681.

eſt whatever in their welfare, who had not in ſome way identified himſelf with them in their oppoſition to the Government. Rather let it be ſuppoſed that, when the popular cry was raiſed, "*Tot Leiſler! tot "Leiſler! tot het huys von Leiſler!*"[1] and his leaderſhip was *demanded* by the excited and terror-ſtricken inhabitants of the city to oppoſe the expected onſlaught of the baniſhed Royaliſts and their allies,[2] recourſe was had to that authority which had been well tried, and which was conſidered moſt competent, moſt truſtworthy, and moſt certain of ſucceſs.

During the entire period of the adminiſtrations of Governors NICOLLS, LOVELACE, ANDROS, and DONGAN, as is well known, the Coloniſts were ſubjected to continued outrages—during the term of ſervice of Governor DONGAN eſpecially, as was admitted by one of his moſt intimate friends, "Severall "Irregularities had been committed"—and the cauſe for complaint was not diminiſhed when Lieutenant-Governor NICHOLSON aſſumed the reins of government within the Colony. It need not be wondered at, therefore, that the great body of the Coloniſts in New York were ſteadily oppoſed to the Government; and eſpecially that the Dutch therein were ready, at a moment's notice, to effect a change.

In the ſpring of 1689, when intelligence reached New York that the Prince of Orange had landed in

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[1] C. F. HOFFMAN'S Adminiſtration of JACOB LEISLER (SPARKS'S *American Biography*, Second Series, iii., 197).

[2] Lieutenant-Governor LEISLER to the King, January 7, 1690. The ſame to Major GOLD, 1689, the 2d June, in New Yorke; DUNLAP'S New York, i., 153.

England, that JAMES had abandoned his throne, and that the Prince—one of their own countrymen, and a Proteſtant—had aſſumed the regal authority, the great body of the inhabitants of this city and vicinity aroſe in its might and drove the Jacobites from power;[1] ſeizing the fort and garriſoning it;[2] ſeizing the Governor's deſpatches,[3] and compelling Lieutenant-Governor NICHOLSON and his handful of adherents to ſeek ſafety in flight.[4]

While this ſcene was being performed *within* the city, rumors were ſet afloat that the French were approaching by water to attack it from *without;* and the inhabitants, raiſed to the higheſt excitement by their internal political troubles, were led to ſuppoſe that external enemies—co-religioniſts and poſſibly allies of the Jacobites—were approaching to complete their deſtruction.[5] They appear to have underſtood their danger; and they underſtood also, it appears, unto whom they could look for ſympathy, for counſel, and for leaderſhip.

STEPHEN VAN CORTLANDT, one of the leaders of the Jacobites, ſaid "the people mett at JACOB

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[1] Council of New York to the Earl of Shrewſbury, 1689, June 10; Modeſt and Impartial Narrative of Several Grievances, &c.

[2] STEPHEN VAN CORTLANDT to Governor ANDROS, N. Yorke, 1689, July 9; Colonel BAYARD'S Narrative of Occurrences, &c.; Council of New York to the Earl of Shrewſbury, New York, 1689, June 10.

[3] STEPHEN VAN CORTLANDT to Governor ANDROS, N. Yorke, 1689, July 9; Colonel BAYARD'S Narrative of Occurrences, &c.; Certificate of FREDRYCK FLYPSEN and STEPHEN VAN CORTLANDT, December 13, 1689.

[4] STEPHEN VAN CORTLANDT to Governor ANDROS, N. Yorke, 1689, July 9; Abſtract of Colonel BAYARD'S Journal.

[5] STEPHEN VAN CORTLANDT to Governor ANDROS, N. Yorke, 1689, July 9; SMITH'S Hiſtory of New York, i., 81.

"LUYSLAER'S door;" and thither he and FREDERIC PHILIPSEN proceeded, "and endeavoured to allay "them, but in vain." They would hear no words of peace from thoſe of their own country who had proved recreant to the rights and the honor of the great body of the Coloniſts.[1]

At the requeſt of the inhabitants thus aſſembled before his own door, Captain LEISLER aſſumed the command of the fort;[2] and under the direction of a "Committee of Safety," compoſed of two delegates from each of the ſettlements of Brooklyn, Flatbuſh, Fluſhing, Newtown, Staten Iſland, Eſſex in New Jerſey, Eſopus, and Weſtcheſter, and the ſame number from this city, he adminiſtered the government of the Colony until March, 1691, when Colonel SLOUGHTER arrived in New York, and entered on his duties as Governor.[3]

Of the fidelity with which Captain LEISLER diſcharged the duties to which he had been called, or the undeviating loyalty with which he promoted the honor and the intereſts of the Prince of Orange, I need not ſpeak; nor will time permit me to relate the remarkable combination of adverſe elements, in many caſes in oppoſition to each other in times paſt, which ſubſequently led to his arreſt and execution on

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[1] STEPHEN VAN CORTLANDT to Governor ANDROS, N. Yorke, 1689, July 9.

[2] FREDRYCK FLYPSEN and STEPHEN VAN CORTLANDT to Secretary BLATHWAYT, Auguſt 5, 1689; Commiſſion from the Committee of Safety, June 8, 1689.

[3] Commiſſion from the Committee of Safety to the Commander-in-Chief, Auguſt 16, 1689; Memorial of what has occurred in Their Maties Province of New York.

charges of treaſon to the Sovereign whom he had ſerved with ſo much devotion, to the confiſcation of his eſtates, to the ſubſequent reverſal of his attainder by the Parliament of Great Britain, or to the ultimate effect of his death on the popular cauſe in America.

Suffice it to ſay, that, after ſentence had been pronounced on him, the united prayer of more than eighteen hundred perſons was preſented in writing to the Governor, by a Miniſter of the Goſpel, urging a ſtay of his execution and his removal to England "to be judged by their Majeſties"[1]—an appeal which weighed as nothing againſt the ſecretly-exerciſed influence of the BAYARDS, the DE LANCEYS, the VAN CORTLANDTS, the LIVINGSTONS, the PHILIPSES, and a few others whoſe dignity had been offended;[2] while the honeſt paſtor who had preſented the petition was ruthleſſly caſt into priſon, and "accuſed of being a rebel," for the patriotic part which he had taken in the matter.

The ſubſequent reverſal of his ſentence by the higheſt authority in the kingdom;[3] the reſtoration of his eſtates to his deſolate family; the diſinterment

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[1] Memoir and Relation of what occurred in the city of New York, by WILLIAM VAN BREEN, JOH: PROVOOST, and others, October 15, 1691.

[2] Memorial of Chief-Juſtice ATTWOOD, October 26, 1709; Minutes of the Board of Trade in the caſe of ROBERT LIVINGSTON, October 1, 1695; Earl of Bellomont to the Lords of Trade, June 22, 1698; Commander-in-Chief and Council to Committee of Trade, July 29, 1691; Addreſs of the Merchants of New York, May 19, 1690.

[3] Order in Council in caſe of LEISLER and MILBOURNE, March 11, 1691; Earl of Bellomont to the Lords of Trade, May 15, 1699.

of his mutilated body from the hole at the foot of the gallows, into which it had been ignominiouſly caſt more than ſeven years before;[1] its reinterment with military honors in the burial-ground of the Reformed Dutch Church during a terrific ſtorm, and yet amidſt the ſorrows of more than fifteen hundred ſympathizing ſpectators;[2] the ſubſequent teſt-vote, eight years after his death, when, of the "freeholders and freemen" of this city, four hundred and fifty-five declared themſelves Leiſlerians, while one hundred and ſeventy-ſeven were all who would avow their oppoſition to his ſentiments;[3] the ſteady progreſs of the popular power and the undeviating fidelity of the populace itſelf, within this city and neighborhood, to the great principles of republican government, while all elſe was conſervative or monarchical,—all theſe bear witneſs to the integrity of Captain LEISLER as a man, to his loyalty as a ſubject, to his purity as a patriot.

Concerning this intereſting and important portion of the Early Political Hiſtory of New York, as ſuch, little has been written, although much has been collected; and it is ſincerely hoped that, at an early day, it will receive that careful attention from the patient and critical labors of ſome one or more of our aſſociates which its importance demands.

Still nearer our own times, when the conflict between the MORRISES and the DE LANCEYS was at its

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[1] Earl of Bellomont to the Lords of Trade, October 21, 1698; Heads of Accuſation againſt the Earl of Bellomont, March 11, 1700.

[2] Ibid.

[3] Earl of Bellomont to the Lords of Trade, April 27, 1699.

height, the rallying point of the maſſes of the oppoſition was the venerable RIP VAN DAM, at that time the recognized head of the Dutch in New York; and he it was who formed the chief ſupport of JOHN PETER ZENGER, the popular printer of that day, during the tedious perſecution for libel to which he was ſubjected by the Government.

The perſonal hiſtory of this noted printer—the ſecond of the great political centres around which the maſs of the Coloniſts in New York cluſtered in the earlier days of the Revolution—is not unworthy of notice by thoſe who would know the earlier political hiſtory of this State.

A native of Germany, where he was born in 1697, he was deprived of his father at an early age; and when the French perſecuted the Palatines with ſuch ſeverity that the heart of the Queen of Great Britain was touched with ſympathy, ſhe reſcued many of them, furniſhed homes for them in New York and others of her colonies in America, and ſent young ZENGER, with his widowed mother, his ſiſter, and his young brother, to this city.[1] Strangers in a ſtrange land, this unprotected family depended on the bounty of the Sovereign for ſupport, in part, if not entirely; and on the twenty-ſixth of October, 1710, the public authorities of the city, by the Hon. RIP VAN DAM and Doctor STAATS, apprenticed the eldeſt ſon, a lad of thirteen years, to WILLIAM BRADFORD, the public printer, to learn the art and myſtery

[1] Liſt of Palatines remaining at New York, 1710; Dr. E. B. O'CALLAGHAN, in note to *Colonial Documents*, vi., 80.

of that profeſſion.[1] He ſerved his maſter with fidelity during four years, paſſing through all the various grades within "the chapel" (in the phraſeology of the printers); and when his time of ſervice had expired, he was received into the buſineſs as a partner with his former maſter.[2] He ſubſequently embarked in buſineſs in this city on his own account; and on the eleventh of September, 1722, he was married, in the old Reformed Dutch Church in Garden Street—now Exchange Place—to ANNA CATHARINA MANLIN.[3]

In the autumn of 1733, he eſtabliſhed the ſecond newſpaper in the Colony—"THE NEW YORK WEEKLY "JOURNAL, *containing the freſheſt advices, foreign and "domeſtic*"[4]—which very ſoon afterward became the acknowledged organ of the popular party in this city and vicinity. The active pens of Chief-Juſtice MORRIS, and JAMES ALEXANDER, and WILLIAM SMITH, Senior, were among thoſe which furniſhed the "leaders" for this journal; and the weight of their blows cruſhed the harneſs of the Government, and eſtabliſhed the freedom of the Preſs in the Colony.[5]

Under theſe circumſtances, while the real offend-

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[1] Names of the Palatine Children apprenticed by Governor HUNTER, 1710–1714.

[2] The imprint of "BRADFORD and ZENGER" on the title-page of "KLAGTE *van Eeinge Leeden der Nederduytſe Hervormde Kerk, woonede op Raretans, &c.,*" a copy of which is in the Society's Library.

[3] Record of Marriages in the Collegiate R. D. Church, New York City.

[4] The file of the paper, in the Library of the Society; THOMAS's Hiſtory of Printing.

[5] DAWSON's Sons of Liberty, 36.

ers were protected by their maſk, the weight of the official indignation fell on the printer; and his papers were ordered to be burned by the public executioner,[1] while he himſelf was arreſted on a charge of libel, and committed to priſon.[2]

The arbitrary eraſure of the names of his counſel from the rolls of the Court;[3] his able defence, by ANDREW HAMILTON, of Philadelphia;[4] his triumphant acquittal by a jury of the Colony; the exultation of the great body of the Coloniſts, led by the Corporation of the City of New York;[5] the effect of that acquittal on the freedom of the Colonial Preſs;[6] and its ultimate conſequences in the eſtabliſhment of the Independence of the Colonies and of the political rights of mankind, have been heretofore ſet forth in your hearing by one of your aſſociates, and I need not here recapitulate all the details.[7]

The important conſequences reſulting from the

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[1] Minutes of the Provincial Council, November 2, 1734; SMITH'S Hiſtory of New York, ii., 15.

[2] DUNLAP'S Hiſtory of New York, i., 300; SMITH'S Hiſtory of New York, ii., 17.

[3] SMITH'S Hiſtory of New York, ii., 19, 20; DUNLAP'S Hiſtory of New York, i., 300.

[4] Trial of JOHN PETER ZENGER (Edit. London, 1752); SMITH'S Hiſtory of New York, ii., 21, 22.

[5] Proceedings of the Common Council of the City of New York, quoted by Mr. DAWSON in *The Sons of Liberty in New York*, 36–38.

[6] SMITH'S Hiſtory of New York, ii., 23; DAWSON'S *Sons of Liberty*, 39.

[7] The paper entitled "*The Sons of Liberty in New York*," read before the Society on the 3d of May, 1859, by Mr. HENRY B. DAWSON, of Morriſania, N. Y.

acquittal of JOHN PETER ZENGER, and its great influence on the Early Political Hiſtory of New York, and on that of the United States, prompts me, however, to preſent a brief ſketch of this remarkable Trial for Libel; and I do ſo the more willingly, becauſe I have reaſon to believe that it will be acceptable to many of the members, whoſe purſuits prevent them from making the inveſtigations requiſite to a proper appreciation of ſome of the minute particulars which form the material portion of this noted caſe, and are among the characteriſtic features aſſociated with this narrative, preſenting an effect quite dramatic.

It is reported of the ſecond of my predeceſſors in the Preſidential chair—GOUVERNEUR MORRIS—that "inſtead of dating American liberty from the Stamp "Act, he traced it to the perſecution of PETER ZEN-"GER, becauſe that event revealed the philoſophy of "freedom both of thought and ſpeech, as an inborn "human right, ſo nobly ſet forth in MILTON'S Trea-"tiſe on Unlicenſed Printing."[1]

Mr. ZENGER iſſued the firſt number of his *Weekly Journal* on the fifth of November, 1733; and it immediately arreſted the attention of the Colonial authorities by the appearance in its columns of a ſeries of ſevere animadverſions on the meaſures of the Government, as has been already ſtated.

In the following January, Chief-Juſtice DE LANCEY called the attention of the Grand Jury to the alleged Libel which it contained; but no Bill was

[1] TUCKERMAN'S "America and her Commentators," 7, *note.*

found by that body. Again, in the latter part of October, the Chief-Juſtice renewed the attempt to arreſt ZENGER's oppoſition; but once more the Jury refuſed to return a Bill.

On the ſeventeenth of October, 1734, the Council of the Province took the ſubject into conſideration, the reſult of which was the appointment by that body of a Committee to confer with a ſimilar Committee to be appointed by the Aſſembly, and "to examine and enquire into the ſaid Papers, and "the Authors and Writers thereof."

In conformity with the requeſt of the Council, the Houſe appointed, on the ſame day, a Committee of Conference; and on the enſuing evening the Committees met and diſcuſſed the ſubject-matter which had been referred to them. The Conference cloſed with a formal requeſt, in writing, on behalf of the Council, that the Aſſembly ſhould concur with that body in declaring that Numbers 7, 47, 48, and 49 of ZENGER's Paper contained Libels on the Government, and ſhould be burned by the common Hangman; that a reward ſhould be offered for the diſcovery of the authors of the obnoxious articles; that an Order ſhould be iſſued for the proſecution of the Printer; and that a ſimilar Order ſhould be iſſued to the Magiſtrates to exert themſelves in the execution of their Offices, in order to preſerve the public peace of the Colony. This requeſt was reported to the Aſſembly; but, on the twenty-ſecond of October, 1734, that body ordered the papers and requeſt to be laid on the Table; and, a ſecond time, the purpoſes of the Government were fruſtrated.

On the ſecond of November following the Council iſſued an Order, without the concurrence of the Aſſembly, directing that the papers referred to be publicly burned by the common Hangman; and it ordered, alſo, "that the Mayor and Magiſtrates of "this city do attend at the burning the ſeveral "Papers or Journals aforeſaid, numbered as above "mentioned."

To this Order of the Council the Mayor and Magiſtrates, aſſembled in Quarter Seſſions, reſponded by forbidding the entry of it on their Books—ſome of them threatening to enter their Proteſt againſt it ſhould the entry be made on the Records.

Four days later, the Sheriff formally moved the Court to comply with the Order referred to, when a Proteſt was read with the approbation of all the Aldermen; but it was not entered, becauſe that would demand the entry of the Order of the Council —a paper which the Magiſtrates would not recognize even to the extent of entering it on their Minutes. At the ſame time the public executioner, who was an officer of the Corporation, was not authorized to execute the Order; and the papers were burned by a negro-ſlave, the property of the Sheriff, in the preſence of the Recorder, Mr. DUMBAR, and ſome of the officers of the garriſon.

The Council alſo iſſued an Order to the Sheriff commanding him to arreſt Mr. ZENGER for printing and publiſhing the ſeveral libellous papers to which reference has been made; and on Sunday, the ſeventeenth of November, he was arreſted and committed to priſon.

A Writ of Habeas Corpus was iſſued, in order to ſecure either his diſcharge or his liberation on Bail; and on the twentieth of November, when the Return was preſented to the Court, Meſſrs. JAMES ALEXANDER and WILLIAM SMITH, Sr., excepted to it.

Theſe exceptions were argued in the "presence "of ſome hundreds of the Inhabitants," when the Priſoner's Counſel inſiſted that he might be admitted to reaſonable Bail, citing *Magna Charta*, The *Petition of Right* (3 CAROLUS); The *Habeas Corpus Act* of 32 CAROLUS II.; 2 HAWKINS, Chap. 15, Sec. 5; The *Caſe of the Seven Biſhops*, TEMP. JACOBUS II., in ſupport of their motion. The Council for the Crown oppoſed with ſome warmth, which was reſented by the audience; but an order was entered admitting him to Bail, himſelf in £400, and two ſureties in £200 each, the priſoner to ſtand committed in the meanwhile.

At the term of January, 1735, the Grand Jury again refuſed to return a Bill againſt the Priſoner; but the Attorney-General immediately filed an Information againſt him, and on that he was arraigned.

The Priſoner's Counſel offered Exceptions to this Information, but not until the April Term of the Court could thoſe Exceptions be perfected; and on the fifteenth of that month Exceptions were alſo offered to the commiſſion of each of the Judges of the Court, becauſe, FIRST, They were granted *during Pleaſure of the Government* inſtead of *during good behaviour of the Judge;* SECOND, The extent of authority granted was greater than warranted by Law; THIRD, The form of the Commiſſion was not warranted by the Com-

mon Law, or any Statute of England, or any Act of the Aſſembly of the Colony; and FOURTH, That the Commiſſion was granted by Governor COSBY, without the Advice and Conſent of the Council; and a motion was offered that theſe Exceptions ſhould be filed. On the following day (April ſixteenth), when the Priſoner's Counſel appeared to argue the Exceptions which had been filed on the preceding day, Chief-Juſtice DE LANCEY informed them "that the Court would "neither hear them nor allow the Exceptions; for," ſaid he, "you thought to have gained a great deal of "applauſe and popularity by oppoſing this Court, "as you did the Court of Exchequer; but you have "brought it to this point, that either we muſt go "from the Bench or you from the Bar;" and an Order was made excluding them "from any farther "Practice in this Court, and that their names be "ſtruck out of the Roll of Attornies of this Court."

Having thus diſrobed the Priſoner's Counſel, the Court aſſigned JOHN CHAMBERS, Eſq., to conduct the defence; but ſome of ZENGER'S friends privately engaged the venerable ANDREW HAMILTON, of Philadelphia—one of the moſt able members of the Colonial Bar—to appear and defend the Priſoner before the Jury.

On the fourth of Auguſt, 1735, the Court aſſembled for the trial of the Priſoner; and the moſt intenſe intereſt prevailed throughout the city.

The Attorney-General opened the Information with a few remarks on the ſubject of Libels, and their miſchievous effects; and he was followed by Mr. CHAMBERS, who ſet forth the character of a

Libel; the great allowance which ought to be made for what men ſpeak or write; the neceſſity that ſome particular perſon ſhould be pointed out in the matter complained of; and his confidence that the Attorney-General would fail in his proof to eſtabliſh the latter point.

When Mr. CHAMBERS had concluded, Mr. HAMILTON aroſe and informed the Court of his retainer to aſſiſt in the defence of the Priſoner; and at the ſame time he admitted the publication of the alleged libel by the Priſoner, and maintained his right to do ſo.

The witneſſes who had been ſummoned by the Crown to prove the publication were immediately diſcharged; and the Attorney-General aſſumed that a Verdict muſt be given for the King, of courſe; "for, ſuppoſing the obnoxious articles were true, the "Law ſays that they are not the leſs libellous for that; "nay, indeed, the Law ſays their being true is an "aggravation of the Crime."

To this Mr. HAMILTON objected, inſiſting that the words complained of "muſt be libellous—that is, "*falſe*, *ſcandalous*, and *ſeditious*, or elſe the Priſoner "was not guilty."

The Attorney-General proceeded to argue for the Crown, on the reverence which was due to the Government; that, inaſmuch as it protected Life, Religion, and Property, care ſhould be taken to protect it from ſcandal; and that Libels on the Government had often been puniſhed; in ſupport of which he cited 5 COKE, 125; WOOD's *Inſtitutes*, 430; 2 LILLY, 168; 1 HAWKINS, 73, 11, 6. He inſiſted that the

Libel was a malicious defamation of another, for which, in every caſe, puniſhment is due, but eſpecially ſo if the Government is the object; that it is the ſame whether the matter is true or falſe; that it was equally ſo by the Law of GOD, in ſupport of which he cited *Acts* xxiii. 5, 2 *Peter* ii. 10; that the Priſoner had ſcandalized the Governor of the Colony, as well as the Council and the Aſſembly, and that it was neceſſary to puniſh him.

Mr. CHAMBERS followed in behalf of the Priſoner, obſerving "with great ſtrength of Reaſon, on Mr. "ATTORNEY'S Defect of proof that the Papers in the "Information were *falſe*, *malicious*, or *ſeditious*, which "was incumbent on him to prove to the Jury, and "without which they could not on their oath ſay that "*they were ſo, as charged.*"

The Defence cloſed with an elaborate and powerful argument by Mr. HAMILTON, in which he controverted, with great ability, the points taken for the Crown—denying "that the juſt complaints of a "number of men who ſuffer under a bad ADMIN-"ISTRATION is libelling that ADMINISTRA-"TION;" that the deciſions of "*that terrible Court*" which the Attorney-General had cited were Precedents to them; and that the Governor was "veſted with all the prerogatives belonging to the "ſacred perſon of his Prince," as had been maintained. He denied that deciſions concerning Libels againſt the King were applicable to offences againſt the Governor of New York; and that the Laws of England were not neceſſarily applicable to the caſes of the Coloniſts in America. He inſiſted that a

Libel is ſuch only when the words are *ſcandalous, ſeditious, falſe, and tending to diſquiet the People;* and he offered to admit the charge, if the Attorney-General would prove the words complained of were *falſe*—he even offered to prove that they were *true*, which the Chief-Juſtice would not allow him to do. He inſiſted on his right to ſubmit the Truth in evi dence upon an Information for Libel; and he contended with the Chief-Juſtice on the queſtion of the origin of that proceeding—maintaining that "it was "a child, if not born, yet nurſed up and brought to "full maturity in the Court of Star Chamber."

He maintained that "the *Falſehood* makes the "*Scandal*, and both make the Libel;" and he inquired, "How ſhall it be known whether the words "are *Libellous*—that is, *true* or *falſe*, by admitting "proof of their truth—ſince the Attorney-General "would not undertake to prove them *falſe?*"

The Court refuſed to receive teſtimony on this point; when Mr. HAMILTON turned to the Jury, and *appealed to it as witneſſes of the truth of the facts which he had offered to prove, and been denied the liberty to do ſo.*

This ſtartling manœuvre appears to have alarmed the Court; and the Attorney-General and the Chief-Juſtice inſiſted that the Jury might find that ZENGER had publiſhed the obnoxious words, and leave the queſtion of their character—whether they were or were not libellous—for the deciſion of the Court; but Mr. HAMILTON replied that the Jury might alſo *do otherwiſe*, as it poſſeſſed the right to determine on both the Law and the Fact.

At great length, in the ſame ſpirit, Mr. HAMILTON argued for the Priſoner; and at the concluſion of his remarks the Chief-Juſtice charged the Jury "that, as the Facts or Words in the Information are "confeſſed, the only thing that could come in queſ- "tion was, whether the Words as ſet forth in the "Information make a Libel; and that," he remarked, "was a matter of Law, no doubt, and which it might "leave to the Court," reading at the ſame time, for the inſtruction of the Jurors, the opinion of Chief-Juſtice HOLT in the caſe of TUTCHIN.

This celebrated caſe, which occurred in the year 1704, and in which the great legal abilities of Chief-Juſtice HOLT were diſplayed, is ſo little known, and the work which contains it[1] is ſo generally inacceſſible, that I cannot forbear the citation, for your conſideration, of that portion of the Judge's charge which bears on the caſe of ZENGER.

The learned Chief-Juſtice, after referring to the publication entitled "*The Obſervator*," addreſſed the Jury as follows:

"So that, now you have heard this evidence, you "are to conſider whether you are ſatisfied that Mr. "TUTCHIN is guilty of writing, compoſing, and "publiſhing theſe libels. They ſay they are innocent "papers, and no libels; and they ſay nothing is a "libel but what reflects upon ſome particular perſon. "But this is a very ſtrange doctrine, to ſay it is not "a libel reflecting on the Government, endeavoring "to poſſeſs the people that the Government is mal-

[1] HOWELL'S State Trials, xiv., 1095.

"adminiſtered by corrupt perſons that are employed "in ſuch or ſuch ſtations, either in the navy or army.

"To ſay that corrupt officers are appointed to "adminiſter affairs, is certainly a reflection on the "Government. If people ſhould not be called to "account for poſſeſſing the people with an ill opinion "of the Government, no Government can ſubſiſt. "For it is very neceſſary for all Governments that "the people ſhould have a good opinion of it. And "nothing can be worſe to any Government, than to "endeavor to procure animoſities as to the man-"agement of it; this has been always looked upon "as a crime, and no Government can be ſafe without "it be puniſhed.

"Now you are to conſider, whether theſe words "I have read to you do not tend to beget an ill "opinion of the adminiſtration of the Government. "To tell us, that thoſe that are employed know "nothing of the matter, and thoſe that do know are "not employed. Men are not adapted to offices, "but offices to men, out of a particular regard to "their intereſts, and not to their fitneſs for the place; "this is the purport of theſe papers.

"Now they, on his behalf, inſiſt on theſe things: "First, they ſay you do not prove any crime in "London. Indeed, it is not proved that he writ "them in London; but the queſtion is, whether "there is not proof of the compoſing and publica-"tion in London? There is proof that they were "ſent to Mr. How in order to print them in Lon-"don. Now, whether he received them from him in "London or no (but ſuppoſe out of London), yet

"if he received them to print them in London, that "is a publication in London. If they ſcruple that "matter, it ſhould be ſpecially found. If they were "delivered to be printed at London, I muſt leave it "to your conſideration whether you will not find him "guilty of publiſhing them in London. They were "ſome of them printed in Fenchurch Street, and "others in Gracechurch Street. He knew where the "printer lived; the contract was made, and he was "paid for them.

"Gentlemen, I muſt leave it to you: if you are "ſatisfied that he is guilty of compoſing and publiſh-"ing theſe papers at London, you are to find him "guilty."

Chief-Juſtice DE LANCEY, having ſubmitted to the Jury this opinion of one of the moſt learned of England's Judges, as declaratory of the law applicable to this "Information," they thereupon retired.

The Jury were abſent only "a ſmall time," and, on returning into Court, rendered a verdict of "*Not* "*Guilty*," amidſt the huzzas of the aſſembled People.[1] This triumph of Right, of Juſtice, and of Freedom, was one of thoſe elementary cauſes

> "Which in their
> Seeds, and weak beginnings, lie intreaſured.
> Such things become the hatch and brood of time."

The key-note of this victory enkindled in the popular heart and mind aſpirations which found a louder tone in the next generation, when incipient

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[1] Trial of JOHN PETER ZENGER (Edit. London, 1752).

meaſures "looking to Independence" were firſt broached in this city; a tone which, in 1776, ſwelled into ever-memorable grandeur on the day that "The Unanimous Declaration of the Thirteen "United States of America," in Congreſs aſſembled, was ſolemnly publiſhed. Then it was that

"——Freedom, from her mountain height,
Unfurl'd her ſtandard to the air;
She tore the azure robe of night,
And ſet the ſtars of glory there!"

* * * * *

"Forever float that ſtandard ſheet!
Where breathes the foe but falls before us?
With Freedom's ſoil beneath our feet,
And Freedom's banner floating o'er us!"[1]

A few months after the termination of the perſecution of JOHN PETER ZENGER, and his reſtoration to his buſineſs and his family, the Colony was ſtartled by the death of Governor COSBY, and by the rival claims of RIP VAN DAM and GEORGE CLARKE to the right of ſucceſſion in the Government—the narrative of which has neceſſarily arreſted the attention of ſtudents of the Early Political Hiſtory of New York.

I hope I may be excuſed for preſenting, at this time and place, the following brief ſketch of the life and character of Mr. VAN DAM, the venerable and influential leader of the popular party within the Colony; as the Paper heretofore read by me before the Society on the ſubject was deſigned as introduc-

[1] "The American Flag," by DRAKE (the cloſing verſe by HALLECK).

tory to, rather than as a memoir of, this diſtinguiſhed man, and of the times of which I am now ſpeaking.

A member of a widely-known and influential family at Albany, where he was born,[1] probably while that city was yet a dependency of the Dutch, RIP VAN DAM appears to have ſought his fortune in the city of New York at an early age. On the fourteenth of September, 1684, he was married, in the Reformed Dutch Church in this city, to SARA VANDERSPEIGLE, the daughter of a wealthy baker;[2] and the occaſion has been noticed as one of the notable events of that period.[3] Of this marriage, ſeven children were born—MARIA, SARA, NICHOLAES, MARIA, CATHARINE, RIP, and MARGARETTA[4]—five of whom are ſaid to have ſurvived him.

He appears to have been engaged in trade at an early day; and it is ſaid that he not unfrequently commanded in perſon his good ſloop *Catharine*, in her trips to the Weſt Indies.[5]

In his youth, in common with other members of his family at Albany, he was decidedly conſervative in his political ſentiments;[6] but while the Earl of Bellomont was Governor, with Colonel BAYARD and ſeveral other prominent Anti-Leiſlerians, he joined

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[1] Record of Marriages, Collegiate R. D. Church, New York.

[2] Ibid.

[3] VALENTINE'S Manual, 1862, 774, 775.

[4] Record of Baptiſms, Collegiate R. D. Church, New York.

[5] Dr. E. B. O'CALLAGHAN, in *Colonial Documents of New York*, vi., 158, note.

[6] He was the candidate of the Anti-Leiſlerian party for the office of Alderman, in 1699. (*Earl of Bellomont to the Lords of Trade*, April 27, 1699.) Dr. E. B. O'CALLAGHAN, as above.

the oppoſition, and thenceforth was one of the leaders of the popular party.[1]

In the ſpring of 1699, the Leiſlerian party in the city of New York contended with the Government for the control of the municipality; and it polled four hundred and fifty-five votes againſt one hundred and ſeventy-ſeven for its opponents.[2]

The Earl of Bellomont, in one of his deſpatches to the Lords of Trade, referred ſlightingly to the ſucceſsful candidates in theſe words: "And the reſt "of the faction as an artifice to draw all the Engliſh "to vote for their friends, call'd themſelves the "Engliſh party, but what is obſervable and very "rediculous beſides is, that three of the four Can- "didates they ſet up were as meer Dutch as any are "in this town. Alderman WENHAM was the only "Engliſhman of 'em, the other three were JOHAN- "NES VAN KIPP, RIP VAN DAM, and JACOBUS VAN "COURTLAND; the names ſpeak Dutch, and the men "ſcarce ſpeak Engliſh."

In this connection it will not be irrelevant, I truſt, to contraſt the following incidents with the above official comment concerning Mr. VAN DAM's nationality and that of his two friends, and their alleged incapacity to diſcharge their public duties, from inability to "ſpeak Engliſh" correctly.

While it is very evident from the deſpatch in queſtion, that his Lordſhip had not drunk very deeply at the well of "pure Engliſh undefiled," not-

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[1] Dr. E. B. O'CALLAGHAN, as above.

[2] The Earl of Bellomont to the Lords of Trade, April 27, 1699.

withſtanding his apparent fondneſs for criticiſm, it may be well to refer to the experience, on a ſimilar ſubject, of HUGH, the fourth Earl of Marchmont, a diſtinguiſhed Scotch peer, who was born in 1708 and died in 1794—the friend and executor of POPE.

BOSWELL, in his "Life of JOHNSON," tells us that he had recommended to his countrymen to imitate the pronunciation of the Earl, which was ſo perfect as to conceal his Scottiſh accent. The Earl, however, furniſhes this "comment" on *his* ſpeech, as recorded by himſelf:

He had called at a ſhop in London, where he was not known. In the courſe of their converſation, the ſhopkeeper ſaid to him: "I ſuppoſe, Sir, you "are an American." "Why ſo?" aſked his Lordſhip. "Becauſe, Sir," replied the maſter of the ſhop, "you ſpeak neither Engliſh nor Scotch, but ſome-"thing different from both; which, I conclude, is "the language of America."[1]

Even EDMUND BURKE, the ſcholar and ſtateſman —one of the moſt eloquent men of his time—is ſaid to have "retained to the laſt more of the Iriſh accent "than was agreeable to leſs indulgent ears," even of thoſe who liſtened to his impaſſioned ſpeeches in Parliament, or who, in the ſocial circle, were delighted with his converſational powers and the exuberant flow of his "wit and wiſdom."[2]

It is alſo recorded that Doctor JOHNSON, while engaged in the compilation of his *Dictionary*, was

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[1] BOSWELL'S Life of JOHNSON, iii., 190.

[2] Ibid., 189, note.

told by the celebrated Lord CHESTERFIELD, who was of *Iriſh* deſcent, that the word *great* ſhould be pronounced ſo as to rhyme with *ſtate;* while Sir WILLIAM YONGE (Sir ROBERT WALPOLE's Secretary at War) inſiſted that it ſhould rhyme with *ſeat*, and remarked "that none but an Iriſhman would pro-"nounce it *grait*." [1]

Now, here were two men of the higheſt rank, the one the beſt Speaker of the Houſe of Lords, the other the beſt Speaker of the Houſe of Commons, differing entirely in the proper pronunciation of one of the moſt ſimple words in our language.

Under the circumſtances, the ſagacious and upright VAN DAM might reaſonably have been ſpared the official contumely of his political opponents, becauſe of his imperfect pronunciation of the Engliſh language; and his Lordſhip might alſo have ſpared his party from the cenſure which juſtly followed an invidious prejudice againſt theſe public-ſpirited individuals, whoſe ſole offence was their perſonal influence with their fellow-citizens.

Whether as a conſervative or as a member of the oppoſition, Mr. VAN DAM never loſt ſight of his duty as a citizen, and he was conſtantly alive to the beſt intereſts of the city and the Province.

Thus, in March, 1700, he united with NICHOLAS BAYARD, ROBERT WATTS, ELIE BOUDINOTE, STEPHEN DE LANCEY, J. VAN COURTLAND, BARENT SCHUYLER, JOSEPH BILLOP, ADOLPHUS PHILLIPSEN, and others, "Merchants of New York in America,"

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[1] BOSWELL's Life of JOHNSON, iii., 191.

in praying the King to ſeparate the Government of New England from that of New York, in conſequence of the "many and great inconveniences "which dayly happened," to the detriment of trade, the retarding of juſtice, and the diſcouragement of induſtry in every portion of the Province.[1] In December, 1701, he united with the Proteſtants of this Province in petitioning the King for a redreſs of grievances to which they had been ſubjected by the Provincial Government;[2] and in February, 1711, with all the leading Merchants of the city, he prayed for the iſſue of orders reſtraining the employment of men-of-war in the carrying trade between the Colonies and the Weſt Indies—a practice which had proved injurious to the buſineſs of thoſe who were engaged in that trade.[3]

It is ſaid, alſo, that Mr. VAN DAM was engaged with JAMES MILLS in the buſineſs of ſhipbuilding; and that their shipyard was on the North River, in front of Trinity Church[4]—the front of which, at that day, was at its weſtern extremity. It is not known, however, to what extent this branch of his buſineſs was carried.

On the arrival of Lord CORNBURY, in 1702, he found the Province in the greateſt diſorder, in conſe-

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[1] Petition of ſundry Merchants of New York to the King, March, 1700.

[2] Petition of the Proteſtants of New York to the King, December 30, 1701.

[3] Petition of ſeveral Merchants of New York to the Queen, February 20, 1711.

[4] Dr. E. B. O'CALLAGHAN, in *Colonial Documents of New York*, vi., 158, note.

quence of the ſtrong partiſan feelings in which the Coloniſts had indulged, and the violent meaſures to which the leaders of the ſeveral parties had reſorted either to ſecure or to maintain the political ſupremacy.[1] The oppoſition, or popular party, among whom VAN DAM was prominent, ſecured the victory; and in June, 1702, the Governor ſuſpended from office, as members of the Council, Chief-Juſtice ATWOOD, Collector WEAVER, Colonel ABRAHAM DE PEYSTER, and others; and appointed Mr. VAN DAM and his friends to the vacant ſeats[2]—a change which was approved by the Queen in Council, on the twenty-firſt of January, 1703.[3]

Mr. VAN DAM continued to occupy a ſeat in the Council of the Province until the firſt of July, 1731, when, in conſequence of the death of Governor MONTGOMERIE, as ſenior Councillor, he became Preſident of that body, and *ex officio* Acting Governor of the Province.[4]

The public ſervice requiring a proviſion for the ſupport of the military poſt at Oſwego, and for the defence of Albany, Preſident VAN DAM called the Aſſembly together, in Auguſt, 1731;[5] when various

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[1] Lord CORNBURY to the Lords of Trade, May 3 and 18, and June 16, 1702.

[2] Lord CORNBURY to the Lords of Trade, June 16, 1702; Minutes of the Queen in Council, January 21, 1703.

[3] Minutes of the Queen in Council, January 21, 1703.

[4] Preſident VAN DAM to the Lords of Trade, July 1 and September 11, 1731; SMITH'S Hiſtory of New York, i., 245.

[5] Journals of the Aſſembly; Preſident VAN DAM to the Duke of Newcaſtle, September 11, 1731. The ſame to the Lords of Trade, September 11 and November 2, 1731.

meaſures beſides thoſe referred to were acted on and approved by him.[1]

During his adminiſtration of the Government of the Colony, Preſident VAN DAM reſiſted the attempts which were made to eſtabliſh Courts of Chancery within the Colony, as Governor MONTGOMERIE had reſiſted them; and, like that officer, he ſteadily refuſed to take the oath of office as Chancellor, notwithſtanding its evil effect on the revenue of the Colony and the poſitive Inſtructions of the Home Government to the contrary.[2] As no other Court poſſeſſed authority to compel the payment of quit-rents, or to adjudicate conteſted titles, it will be ſeen that this omiſſion on the part of Preſident VAN DAM to carry out the Inſtructions of the Miniſtry was at once a ſerious blow to the authority and the intereſts of the Crown within the Colony; and it was evidently a meaſure which required the greateſt boldneſs in its conception and the moſt unbending deciſion of character in its execution.

On the firſt of Auguſt, 1732, Preſident VAN DAM was ſuperſeded by Governor COSBY;[3] and immediately afterward all the bitterneſs of feeling which had remained dormant during ſeveral years, broke out with redoubled fury. Governor COSBY appears to have thrown himſelf entirely into the hands of thoſe who had been in the minority during the pre-

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[1] Preſident VAN DAM to the Lords of Trade, November 2, 1731, with liſt of the Acts referred to.

[2] Lords of Trade to Preſident VAN DAM, February 4, 1732.

[3] Lords of Trade to Preſident VAN DAM, February 4, 1732; SMITH'S Hiſtory of New York, i., 248.

ceding adminiſtration; and the Colony was ſpeedily the ſcene of the greateſt excitement.

The Governor, among other extraordinary meaſures, demanded one half the fees which Preſident VAN DAM had collected during his adminiſtration of the Government; and for its recovery he inſtituted a ſuit, by way of Information, in the Equity ſide of the Exchequer. Mr. VAN DAM conteſted the claim; and as the Court itſelf was divided, party-wiſe, on the queſtion, this meaſure ſerved to increaſe rather than to allay the popular excitement.[1] The ſubject was ſubſequently dropped by the Governor, and Mr. VAN DAM retained the entire amount of the fees which he had collected; while the proceedings of COSBY, it is ſaid, "gave general diſguſt."

In the latter part of the year 1733, Mr. VAN DAM preſented charges to the Home Government againſt Governor COSBY;[2] and thenceforth the former became the recognized head of the popular party in the Colony, and one of the principal ſupporters of JOHN PETER ZENGER, in his violent oppoſition to the Government. So determined, indeed, was the oppoſition of the venerable VAN DAM and that of his friends, that the Governor aſked permiſſion to remove him from the Provincial Council;[3] and a majority of that body, ſeeking to expedite the move-

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[1] Governor COSBY to the Duke of Newcaſtle, May 3, 1733; SMITH'S Hiſtory of New York, ii., 4–6.

[2] Heads of Articles of Complaint to be exhibited, &c., December 17, 1733.

[3] Governor COSBY to the Lords of Trade, June 19 and December 6 and 7, 1734.

ment, refuſed to ſit with him at the Board.[1] In Auguſt, 1735, the Lords of Trade adviſed Queen CAROLINE ("Guardian of the Kingdom of Great Britain and His Majeſty's Lieutenant within the ſame"), to remove him from office, agreeably to the Governor's requeſt;[2] but the advice does not appear to have been noticed by Her Majeſty, and Mr. VAN DAM was not diſturbed.

In January, 1736, the firſt fruits of Mr. VAN DAM's charges againſt the Governor were ſeen, in an order of the Privy Council which forbade the latter from occupying a ſeat in the Legiſlative Council of the Province[3]—an abuſe of his power which had formed the fifth and ſixth Articles of the charges which had been preſented to the Home Government againſt the Governor.[4] This order, ſo important in its bearings on the party organizations in New York, and ſo encouraging to the popular party in its ſtruggle againſt the meaſures of the Provincial Government, by a ſingular fatality was not productive of the benefits which had been anticipated from it. Governor COSBY did not live to receive the Order; and when it reached New York, other and more exciting ſubjects were occupying the attention of the Coloniſts.

Governor COSBY departed this life on the tenth

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[1] Governor COSBY to the Lords of Trade, June 19, 1734, and June 10, 1735.

[2] Lords of Trade to Queen CAROLINE, Auguſt 28, 1735.

[3] Secretary POPPLE to Governor COSBY, January 23, 1736.

[4] Heads of Articles of Complaint to be exhibited, &c., December 17, 1733. Articles 5 and 6.

of March, 1736;[1] when Mr. VAN DAM, as Senior Councillor, prepared to aſſume the authority, as he had done on the death of Governor MONTGOMERIE. His call for the Commiſſion, the Provincial Seal, &c., was met by the remarkable information that, in December, 1735, Governor COSBY had ſuſpended him from office—as Chief-Juſtice ATWOOD and his aſſociates had been ſuſpended by Lord CORNBURY, to make room in the ſame body for him and his aſſociates, more than thirty years before[2]—and that, in conſequence of that ſuſpenſion, private as it was, and unnotified as were the venerable Councillor and his friends, he poſſeſſed no legal right to the Government; and that the authority belonged legally to GEORGE CLARKE.[3]

Of the political and perſonal intrigue by means of which the popular leader was thus prevented from exerciſing, a ſecond time, the ſupreme executive authority in the Colony, I cannot now ſpeak; nor will the time allow me to do more than allude to the important part which Mrs. COSBY—who was a bold and intelligent politician in her day—is ſaid to have acted in this very intereſting drama.[4]

That "circumſtances alter caſes" is a maxim which is recognized in every walk of life and by all claſſes, needs no evidence; and as Mr. VAN DAM and his party were human, and poſſeſſed the weakneſs

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[1] Preſident CLARKE to the Lords of Trade, March 16, 1736.

[2] Lord CORNBURY to the Lords of Trade, June 16, 1702.

[3] Preſident CLARKE to the Lords of Trade, March 16, 1736. The ſame to HORACE WALPOLE, on the ſame day.

[4] MORRIS to WAGER. May 10, Oct. 12, 1739. N. J. Hiſt. Coll. iv. 44, 67.

which is an incident to humanity, it need not be wondered at that he and his aſſociates reſiſted the meaſures which were adopted by Mr. CLARKE and his friends. When Chief-Juſtice ATWOOD and his friends were ſuſpended from authority, in May, 1702, Mr. VAN DAM and his party did not appear to conſider that act as an uſurpation of authority; and, without waiting for the confirmation of that ſuſpenſion by the Queen in Council, he and they took their ſeats at the Board;[1] yet, when the ſame treatment was ſubſequently ſerved out to them, he and they reſiſted and denounced it as an uſurpation.

Refuſing to recognize as legal the ſuſpenſion of himſelf from office, Mr. VAN DAM proteſted againſt the aſſumption of authority by GEORGE CLARKE; and he ſerved copies of this Proteſt on the members of the Aſſembly. The latter had aſſembled for the diſcharge of their official duties, when Mr. MORRIS read an "Addreſs to the Members;" and then, in company with the members of his own party—all of whom were alſo Mr. VAN DAM's political friends—he retired from the Chamber. As the oppoſition was in the majority, thoſe who remained numbered leſs than a quorum; and they were adjourned by the

[1] The Governor removed the Chief-Juſtice and his friends from their offices as Councillors in May, 1702, and their ſucceſſors—Meſſrs. VAN DAM and others—took their ſeats in the Board on the twentieth of October following—the firſt meeting of that body after their appointment to it; while it was not until the twenty-firſt of January, 1703, that the Queen in Council confirmed either the removal of the one party or the appointment of the other.

Acting Governor without having been called to order by the Speaker.[1]

In September following, when the Aſſembly was again convened by the Acting Governor, the ſame queſtion aroſe before the Houſe was organized; and again the Government was compelled to prorogue the Houſe, much to the diſcredit of the Governor, before the members were called to order by the Speaker.[2]

During the ſame month (September, 1736) the diſſenſion appeared to threaten the moſt ſerious conſequences, becauſe each of the two rival Governments—CLARKE's and VAN DAM's—proceeded, in due form, to appoint, as was the duty of the Governor of the Province, the officers of the Corporation of the City of New York for the enſuing year—CLARKE reappointing thoſe of the former year; VAN DAM preferring ſome of the members of his own party.

As ſome time elapſed between the date of the appointment to office and that of the official inauguration of the appointees, during that period at leaſt, a new element of diſcord was introduced, and additional incentives to violence were employed.[3]

While this twofold ſtrife was fiercely raging, on the twelfth of October, 1736, the members of the

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[1] Preſident CLARKE to the Lords of Trade, May 3, 1736; The ſame to the Duke of Newcaſtle, ſame date; ADOLPHE PHILIPSE (Speaker of the Houſe) to Preſident CLARKE, April 29, 1736.

[2] Preſident CLARKE to the Duke of Newcaſtle, September 18, 1736; The ſame to the Lords of Trade, September 20, 1736.

[3] Preſident CLARKE to the Lords of Trade, October 7 and 18, 1736; Minutes of Appointments, dated September 29, 1736, ſigned "RIP VAN DAM."

Aſſembly again met for the diſcharge of their official duties; but before an organization could be effected, they reſumed the informal diſcuſſion of Mr. VAN DAM's ſuſpenſion and the legitimacy of Acting Governor CLARKE's adminiſtration. This diſcuſſion was continued with great bitterneſs of feeling until the afternoon; when, without any organization, the Aſſembly was prorogued until the following day.[1]

Thus toſſed between the two—the Aſſembly and the Corporation of the city—and inflamed by both, as each became at the moment moſt conſpicuous, the Coloniſts were excited as few other communities have ever been.[2] Fortunately for both parties; fortunately for the city and the Province; fortunately, it may be, for the cauſe of republican principles, at an early hour on the thirteenth of October an additional Inſtruction from the Queen concerning the form of Prayer to be uſed for the Royal Family was received by CLARKE—a circumſtance which appears to have been received by *all* parties as incontrovertible evidence that the adminiſtration of Mr. CLARKE had been recognized by the Home Government; and univerſal quiet was immediately reſtored.[3]

On the twenty-ninth of October, ſtill further evidence of the deciſion by the Miniſtry was received by CLARKE; and thenceforth the peace of the Colony on the prevailing queſtions was fully reſtored.[4]

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[1] Preſident CLARKE to the Duke of Newcaſtle, October 14, 1736.

[2] Preſident CLARKE to the Lords of Trade, October 18, 1736.

[3] Preſident CLARKE to the Duke of Newcaſtle, October 14, 1736; The ſame to the Lords of Trade, October 18, 1736.

[4] Lieut.-Gov. CLARKE to the Duke of Newcaſtle, November 23, 1736.

The extreme old age of Mr. VAN DAM, it appears, thenceforth prevented him from participating perſonally in the political affairs of the Colony; although his influence was doubtleſs felt in all the meaſures of the Oppoſition, until the day of his death, which occurred on the tenth of June, 1749.[1]

The reſtricted character, in point of time, of an Addreſs like the preſent, compels me to ſketch rapidly the more marked features which my ſubject prominently preſents. It neceſſarily follows, that many paſt and important incidents were rather glanced at than adequately deſcribed. The Leiſlerian agitation, and the brief but eventful adminiſtration of the Earl of Bellomont, are inſtances in illuſtration of this.

In regard to the latter, I have deferred the introduction of that which follows in order to avoid breaking in upon the regular details connected with the career of Preſident VAN DAM. I now therefore revert to a few incidents connected with the late Earl of Bellomont's adminiſtration. He landed in New York on the ſecond day of April, 1696, and died in this city on the fifth day of March, 1701. He lived to ſee the dawn of the century in the laſt quarter of which the Engliſh domination, like that of the Dutch which it had ſupplanted, ceaſed to exiſt. The union of the ſiſter Colonies, by their own act and brave

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[1] "Saturday laſt departed this Life, in a very advanced Age, and was "Yeſterday decently interred, the Honorable RIP VAN DAM, Eſq.; for- "merly one of the Gentlemen of His Majeſty's Council for this Province "for many Years, and ſome time Preſident of that Board."—*New York Gazette*, revived in the *Weekly Poſt-Boy* (PARKER'S), No. 334, [*Monday*] June 12, 1749.

determination, was to convert them into free and independent Peoples. The courſe of events was pregnant with conſequences prefigured in theſe ſuggeſtive lines of the great dramatiſt:

> "There is a hiſtory in all men's lives,
> Figuring the nature of the time deceaſ'd;
> The which obſerv'd, a man may propheſy,
> With a near aim, of the main chance of things
> As yet not come to life."

In little more than half a century the comparatively "weak beginnings," the "ſeeds intreaſured," foſtered by the events of the ſeventeenth century, had rapidly ſprouted, flouriſhed, and a republic then came "to life."

BELLOMONT was an Iriſh Peer, a lineal deſcendant of the Sir CHARLES COOTE, a soldier of fortune trained in the wars of ELIZABETH, who was diſtinguished by his ferocity in Ireland in the reign of CHARLES I.[1] His ariſtocratic antecedents, the diſtinction which he gained as a member of the Engliſh Houſe of Commons, and his early eſpouſal of the intereſts of the Prince of Orange, had recommended him to the favorable notice of WILLIAM III., who appointed him Governor of New York and Maſſachuſetts.

By Lord MACAULAY he is repreſented to have been "a man of eminently fair character, upright, "courageous, and independent. Before BELLOMONT "sailed for America, WILLIAM ſpoke ſtrongly to him

[1] STRYKER's American Quarterly Regiſter, i., 434

"about the freebooting, which was the diſgrace of the "Colonies, and added: 'I ſend you, my Lord, to "'New York, becauſe an honeſt and intrepid man is "'wanted to put theſe abuſes down, and becauſe I "'believe you to be ſuch a man.'"[1]

The courſe the Governor took, the objects he accompliſhed, the controverſies his adminiſtration occaſioned, and the reſults of his meaſures, time will not now permit me to diſcuſs. The ſubject has been in a meaſure generally treated in your preſence; and it is one which, in all its bearings, requires a more critical and thorough examination than it has yet received.

In the official Diſpatch in which the Earl introduced the names of VAN DAM, VAN COURTLAND, and VAN KIPP, and characterized them as "meer "Dutch" who "ſcarce ſpeak Engliſh," his Lordſhip preſents us with an example in himſelf of diſregard of the advice which in the very next ſentence he thus communicated to the Lords of Trade: "I diſcour- "age all I can theſe diſtinctions of Dutch and Eng- "liſh which is ſet on foot by the factious people of "this town." The admiſſion is here unceremoniouſly made, either that he was an example of this alleged prejudice, or one of these "factious people."

But the contrariety between this advice and this diſregard of its precepts is probably attributable to the ariſtocratic tendencies which placed the Governor unavoidably in ſituations at variance with popular impulſes, the tendency of which was becoming more

[1] MACAULAY'S Hiſtory of England, v., 204.

and more obſervable, as the current of popular hopes and anticipations flowed on with greater volume and rapidity. Theſe hopes were quickened when the loud huzzas announced the triumph of JOHN PETER ZENGER; and theſe anticipations looked to greater political ſucceſſes, when the love of freedom thereafter animated the "Sons of Liberty."

It is not within the compaſs of this Addreſs to analyze the views or criticize the meaſures entertained by Bellomont in order to ſupport the alleged influence upon him or his order of a political or inheritable bias—the one ordinarily aſſociated with the other. Opinions but repeat themſelves, under ſimilar circumſtances and with ſimilar affinities. Popular developments deemed politically ſubverſive of ariſtocratic influences, have engendered, at all times, ſecret or avowed oppoſition to the popular will, or, as in this country, to the ſovereignty of the People. The exiſting traitorous attempt upon the national life of the American Republic is an exemplification of theſe cauſes and effects, brought before our own eyes and apparent to every true lover and well-affected citizen of our country.

This prejudice of his Lordſhip ſeems largely to be participated in by a nobility in our day, conſequent upon the preſumed ſucceſs of our Republican inſtitutions, which had their riſe in the times of which I am now ſpeaking; who, judging from exiſting circumſtances, conſider the diſmemberment of the United States the ſecurity of England, and the overthrow of our Inſtitutions the preſervation of their own.

Before leaving this intereſting era of our early Colonial hiſtory, I will briefly call your attention to a ſingle incident ſtated at the cloſe of the above-mentioned Diſpatch. It refers to an attempt on the part of the Earl of Bellomont to procure the paſſage by the Aſſembly of "A Bill to enforce the building "of Publick Workhouſes, to employ the poor, and "alſo vagabonds." This, it appears, was offered to that Body, purſuant to an "inſtruction from His "Majeſty;" but his Lordſhip declares that the Aſſembly *ſmiled at it*, "becauſe indeed there is no "ſuch thing as a beggar in this town or country." He further corroborates this by expreſſing his own belief that "there is not a richer populace any-"where in the King's Dominions than is in this "town."

This intereſting fact has reference to the ſpring of 1699. There is no record of the population of the city in that year of which I am aware. In 1696 it amounted to four thouſand three hundred and two;[1] and it is intereſting to ſtate, in contraſt with this fact, that at the cloſe of 1864 it is eſtimated to have exceeded a million.[2] During this century and a half the increaſe of pauperism kept pace with that of the population; and the number of paupers ſupported by the city authorities, at the cloſe of the year 1864, is ſtated to amount, in the aggregate, to fifty-ſix thouſand two hundred and twenty-five,[3] who were

[1] VALENTINE'S *Manual* for 1862, p. 405.

[2] Official communication to me from the City Inſpector's Department.

[3] Official ſtatement obligingly furniſhed me by the Commiſſioners of Public Charities and Correction.

maintained at the expenditure, derived from city taxes, of ſix hundred and ſixty thouſand dollars.[4]

It will be borne in mind that this large expenditure is applied excluſively to the deſtitute poor, ſick, and "vagabond" claſſes, provided for by the City "Department of Charities and Correction." Beſides all theſe, great numbers of both ſexes and of every age, who are of the "poor among us," receive ſhelter, food, and raiment, oftentimes with religious teaching and educational training, in inſtitutions founded by charitable donors, or ſupported from year to year by voluntary contributors, with occaſional aid liberally beſtowed by municipal and legiſlative bodies.

Theſe are the growth of Chriſtianity! The *ΞENIA* of the Greeks and the HOSPITIUM of the Romans were of a diſtinct character. Theſe were deſigned by private benevolence with "hoſpitable "intent" for individual wayfarers and gueſts. Man, among theſe ancient nations, was politically conſidered as the offspring of the State; and in his civil and military relation to it, bound to miniſter to its ſupport. The "Poorhouſes," the "Workhouſes," the "Aſylums," and the "Hoſpitals" of modern times have their foundation reſting upon the ſympathy and liberality of "him that hath" toward "him who "hath not." The bleſſings diſpenſed in theſe ſhelters for the needy, the ſick, the wretched, and the outcaſt, have their origin in that pure and undefiled Religion, which riſes far above all political aſſociations, and inculcates thoſe two cardinal principles which Chriſ-

[4] Comptroller's Office, City of New York.

tianity primarily proclaimed, "Love to God and to "one's neighbor;" imperiſhable in their injunctions as the duties which they inculcate.

From this interruption of the prominent events to which your attention was chiefly invited—from a brief record ſuggeſtive of the political, commercial, and ſocial relations indicative of the metropolitan reputation of New York, as well as of the coſmopolitan character of this great mart of America—I turn to reſume the main thread of this Addreſs.

During the forty years which intervened between the eſtabliſhment of Preſident CLARKE's claim to the Government of the Province and the formal Declaration of American Independence, the conteſt of parties, led, reſpectively, by the DE LANCEYS and DE PEYSTERS on the one hand, and the LIVINGSTONS and MORRISES on the other, rendered the Political Hiſtory of Revolutionary New York not leſs intereſting than the period which had preceded it; and not leſs important to the ſtudent of Political Philoſophy.

With perfect Freedom of the Preſs; with a Judiciary holding its office only "during good behavior;" with a fearleſs body of men, each of whom was an intellectual Giant, vigilantly guarding the political rights which ſhe then poſſeſſed, and boldly ſeizing every paſſing opportunity to increaſe the liſt, New York may with the greateſt juſtice refer to that as the *golden era* of her Political Hiſtory.

It was during this period that the much-dreaded "SONS OF LIBERTY" ſprang into being in this city, and not only "organized the Province" for a ſyſ-

tematic oppoſition to the Government, but, by opening and carrying on a correſpondence on the great political queſtions of the day with ſimilar bodies in diſtant places, they alſo "promoted a Confederacy."[1] It was in the earlier years of this period, alſo, while Mr. VAN DAM was yet alive, that the propoſition of his rival, Lieutenant-Governor CLARKE, to "eſtabliſh, by act of Parliament, duties upon ſtamp-"papers and parchments in all the Britiſh and Ame-"rican Colonys," was condemned by the Royal Governor of New York as "dangerous in its con-"ſequences to His Majeſty's intereſt," as it was ſubſequently proved to be in the ſame Colony when the experiment was tried.[2] It was during this era that the Aſſembly of the Province ſteadily reſiſted and as ſteadily repelled every attempt by the Colonial Council to interfere with the proviſions of money-bills, whether they referred to the raiſing of a revenue or to the expenditure of it.[3] During the greater part of this eventful period, the Aſſembly of the Province was repreſented at the Capitol of the nation by an "Agent" of its own choice, over whom neither the Council nor the Governor, nor even the King himſelf, poſſeſſed the leaſt authority;[4] and it is

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[1] DAWSON'S *Sons of Liberty*, 40, 41.

[2] Governor CLINTON to the Duke of Newcaſtle, December 13, 1744; DAWSON'S *Sons of Liberty*, 41, 42.

[3] *Sons of Liberty*, 46–48, and the authorities there quoted.

[4] The practice of appointing Colonial "*Agents*" was by no means confined to the period referred to: *the independence of thoſe Agents was peculiarly the feature of the age in queſtion.* In his *Sons of Liberty* (pp. 43, 44), Mr. DAWSON has brought together the authorities on this ſubject, and to that pamphlet the reader is referred.

probable that it was while EDMUND BURKE was acting as its Agent, that he became ſo intimately acquainted, from the Memorials and the official correſpondence of the Aſſembly, with the grievances of the Colonies; with the nature of their demands for a redreſs of thoſe grievances; and with the natural and political rights of man, all of which form the baſis of every political ſyſtem. Reſiſtance was alſo made ſucceſsfully, during this period, to the ſyſtem of impreſſment for the Navy;[1] and, with equal tenacity, the right of appeal to the King from the Provincial Courts was inſiſted on.[2] The energetic oppoſition to the propoſed Stamp Act which was offered by New York, is too well known to need repetition;[3] and the reſiſtance which was offered to its execution in this city after its enactment, is one of the moſt notable and important events in its conſequences in the hiſtory of our country.[4] It was alſo during this remarkable era in the Early Political Hiſtory of New York, that this Colony not only "organized a Province," but it alſo "promoted a Confederacy" by the organization of the firſt of thoſe powerful inſtruments of revolution known as "COMMITTEES OF CORRESPONDENCE"—the honor of which has recently been reſtored to New York by a member of this Society (diſtinguiſhed

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[1] Preſident COLDEN to the Lords of Trade, Auguſt 30, 1760; HOLT'S New York Gazette and Weekly Poſt-Boy, July 12, 1764.

[2] Lieutenant-Governor COLDEN to the Lords of Trade, November 7, 1764; The ſame to Sir WILLIAM JOHNSON, December 10, 1764.

[3] DUNLAP'S New York, i., 412–419; DAWSON'S *Sons of Liberty*, 57–89, and the authorities cited in that work.

[4] DUNLAP'S New York, 419–423; DAWSON'S *Sons of Liberty*, 89–105.

for the thoroughneſs of his reſearches among its archives, the accuracy of his hiſtorical facts, and fidelity in their narration in connection with this inveſtigation)—notwithſtanding both Maſſachuſetts and Virginia, each ſuſtained by her moſt able writers, as well as by her moſt honored ſtateſmen, had claimed it each for herſelf.[1] The protracted ſtruggles of the popular party in this city in defence of the five flag-ſtaffs, or "liberty-poles," which were ſucceſſively cut down by the ſoldiery;[2] the long-continued and uncompromiſing conteſt between the radical "Sons of "Liberty" and the treacherous Committee of One Hundred, and the Aſſembly of the Province and the Government;[3] the reſolute oppoſition to the tea-tax, and the deſtruction of the tea, in open day, which was on the "*London;*"[4] and the bloody ſtruggle between the inhabitants and the ſoldiery on Golden Hill, in this city, January 18, 1770—the very firſt fight between the Coloniſts in America and their military oppreſſors[5]—all occurred during this revo-

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[1] DAWSON'S *Sons of Liberty in New York*, 60–64.

[2] DUNLAP'S New York, i., 433–435; LEAKE'S Life of General JOHN LAMB, 63–87; BANCROFT'S Hiſtory of the United States; DAWSON'S Park and its Vicinity, in VALENTINE'S *Manual* for 1855, 444–451.

[3] LEAKE'S Life of General LAMB, 65–187; BANCROFT'S United States, vi., 365; DAWSON'S Park and its Vicinity (VALENTINE'S *Manual* for 1855, 455–461), and the authorities referred to therein.

[4] LEAKE'S Life of General LAMB, 75–84; HOLT'S New York Journal, April 21 and 28, 1774; GAINES'S New York Gazette and Mercury, April 25, 1774; HAMILTON'S Life of HAMILTON, i., 20; GORDON'S American Revolution, i., 332–334; DAWSON'S Park and its Vicinity (VALENTINE'S *Manual* for 1855, 456–459).

[5] HOLT'S New York Journal; LEAKE'S Life of General LAMB, 55–58; DUNLAP'S New York, i., 437; GORDON'S American Revolution, i., 300;

lutionary era of the Early Political Hiſtory of New York.

The different "Agreements" of non-importation, &c., into which the tradeſmen of this city entered;[1] the popular ſtruggle with the Government and its Conſervative allies reſpecting the election of Delegates to the Continental Congreſs of 1774,[2] and the defeat of the latter and their ſubſequent change of policy in order to ſecure the control of the delegation; the infidelity to the popular cauſe by the popular Committee of Fifty-one, and the condemnation of that Committee by "The Great Meeting in the "Fields"[3]—at which, it is ſaid, ALEXANDER HAMILTON made his *début* into political life;[4] the ſeizure of the Government ſtores at Turtle Bay by the populace;[5] the ſeizure of the arſenal in the old City

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BANCROFT'S Hiſtory of the American Revolution, vi., 332; DAVIS'S Sketch of the Old Bridewell (VALENTINE'S *Manual* for 1855, 489–491); DAWSON'S *Sons of Liberty*, 112–117.

[1] The firſt Agreement of the kind referred to, was that entered into on the thirty-firſt of October, 1765, in which "the Merchants of the city of "New York, trading to Great Britain," reſolved that they would import no more goods from the Mother Country until the Stamp Act ſhould be repealed. (HOLT'S *New York Gazette and Poſt-Boy*, November 7, 1765; LEAKE'S *Life of General Lamb*, 14; GRAHAM'S *United States*, iv., 224.) Other agreements of a ſimilar character were entered into from time to time, and all were rigidly enforced by the Sons of Liberty.

[2] Minutes of the Committee of Fifty-one; Correſpondence of that Committee and the Committee at MARRINER'S; LEAKE'S Life of General LAMB, 94.

[3] LEAKE'S Life of General LAMB, 88–94; Proceedings of Meeting in the Fields; DUNLAP'S New York, i., 453; DAWSON'S Park and its Vicinity, 462–465.

[4] HAMILTON'S Life of HAMILTON, i.; BANCROFT'S United States; DAWSON'S Park and its Vicinity (VALENTINE'S *Manual*, 464, 465).

[5] LOSSING'S Field-Book of the Revolution (Second edition), ii., 589;

Hall;[1] the eſtabliſhment of a proviſional local Government in this city;[2] the ſeizure of the arms while *en route*, under eſcort, for Boſton, while they were paſſing through Broad and Beaver Streets, in this city;[3] all theſe ſubjects, and many others which are equally important, crowd the pages of the Early Political Hiſtory of New York during its revolutionary era, and beſpeak the importance of the truſt which has been confided to this body by the Government of the State; by our predeceſſors in membership; and by thoſe, throughout the city and State, by whom they and we have been cheered on in the diſcharge of this truſt.

I might occupy your attention much longer with this branch of my ſubject; but I will diſmiſs it with an intereſting alluſion to a ſingle incident, which, ſo far as I have obſerved, has not been noticed by any who have preceded me.

It will be remembered that among the Agents which repreſented the Aſſembly of New York, at London, was EDMUND BURKE, the able and eloquent member of Parliament for Wendover and Briſtol; and there is little doubt that in that capacity he was

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DAWSON'S Park and its Vicinity (VALENTINE'S *Manual* for 1855, 470, 471); LEAKE'S Life of General Lamb, 105.

[1] LEAKE'S Life of General LAMB, 101, 102; GORDON'S American Revolution, ii., 3–16; LOSSING'S Field-Book of the Revolution, ii., 588; DAWSON'S Park and its Vicinity (VALENTINE'S *Manual* for 1855, 471).

[2] LEAKE'S Life of General LAMB, 102; DAWSON'S Park and its Vicinity (VALENTINE'S *Manual* for 1855, 471).

[3] WILLETT'S Narrative, 26–32; New York during the American Revolution, LOSSING'S Field-Book of the Revolution, ii., 588.

made acquainted with the various memorials and other papers which that Aſſembly had tranſmitted from time to time to the Parliament and to the Miniſtry, in its efforts to protect the ſocial and political rights and intereſts of the Coloniſts. Let any one read thoſe Memorials, eſpecially that concerning the Stamp Act, and compare the ſentiments which they contain with thoſe fervid denunciations by Mr. BURKE of the policy of the Miniſtry, and he muſt be ſatisfied that if thoſe Memorials had not *originated* the argument of the illuſtrious orator, they at leaſt *ſtrengthened* and *confirmed* it.

Struggling for their rights as men and as Engliſhmen, the Aſſembly repreſented, on one occaſion,[1] that "an exemption from the burden of ungranted, "involuntary taxes muſt be the grand principle of "every free State. Without ſuch a right veſted in "themſelves, excluſive of all others, there can be no "liberty, no happineſs, no ſecurity: it is inſeparable "from the very idea of property; for who can call "that his own which may be taken away at the plea-"ſure of another? And ſo evidently does this "appear to be the natural right of mankind, that "even conquered tributary States, though ſubject to "the payment of a fixed periodical Tribute, never "were reduced to ſo abject and forlorn a condition as "to yield to all the burdens which their conquerors "might at any future time think fit to impoſe. The "tribute paid, the debt was diſcharged; and the

[1] Memorial of the Aſſembly of New York to the Houſe of Commons, adopted by the Houſe, October 18, 1764.—(*Journals of that date.*)

"remainder they could call their own. And if con-
"quered vaſſals, upon the principle even of natural
"Juſtice, may claim a freedom from aſſeſſments,
"unbounded and unaſſented to, without which they
"would ſuſtain the loſs of everything, and life itſelf
"become intolerable, with how much propriety and
"boldneſs may we proceed to inform the Commons
"of Great Britain, who, to their diſtinguiſhed honor,
"have in all ages aſſerted the liberties of mankind,
"that the people of this Colony, inſpired by the
"genius of their mother country, nobly diſdain the
"thought of claiming that exemption as a *privilege.*
"They found it on a baſis more honorable, ſolid,
"and ſtable; they challenge it, and glory in it as
"*their right.* That right their anceſtors enjoyed in
"Great Britain and Ireland; their deſcendants, re-
"turning to thoſe kingdoms, enjoy it again: and
"that it may be exerciſed by His Majeſty's ſubjects
"at home, and be juſtly denied to thoſe who ſub-
"mitted to poverty, barbarian wars, loſs of blood,
"loſs of money, perſonal fatigues, and ten thouſand
"unutterable hardſhips, to enlarge the trade, wealth,
"and dominion of the nation; or to ſpeak with the
"moſt unexceptional modeſty, that when as ſubjects
"all have *equal* merit, a fatal, nay, the moſt odious
"diſcrimination ſhould nevertheless be made between
"them; no ſophiſtry can recommend to the ſober,
"impartial deciſion of common ſenſe."

Thus boldly ſpake the Aſſembly of New York to the Houſe of Commons; and the Agent of that Aſſembly in the ſame body, thus enforced, at a ſubſe-quent date, the arguments which his principals had

previouſly laid down, in the "Memorial" from which I have read. "In the character of the Ameri-"cans," ſaid Mr. Burke,[1] "a love of freedom is the "predominating feature which marks and diſtin-"guiſhes the whole; and as an ardent is always a "jealous affection, your Colonies become ſuſpicious, "reſtive, and untractable, whenever they ſee the leaſt "attempt to wreſt from them by force, or to ſhuffle "from them by chicane, what they think the only "advantage worth living for. This fierce ſpirit of "liberty is ſtronger in the Engliſh Colonies, proba-"bly, than in any other people of the earth; and "this from a great variety of powerful cauſes, which, "to underſtand the true temper of their mind and "the direction which this ſpirit takes, it will not be "amiſs to lay open ſomewhat more largely.

"Firſt. The people of the Colonies are deſcend-"ants of Engliſhmen. England, Sir, is a nation "which ſtill, I hope, reſpects, and formerly adored "her freedom. The Coloniſts emigrated from you "when this part of your character was moſt predomi-"nant; and they took this bias and direction the "moment they parted from your hands. They are "therefore not only devoted to liberty, but *to liberty* "*according to Engliſh ideas and on Engliſh principles.* "Abſtract liberty, like other mere abſtractions, is not "to be found. Liberty inheres in ſome ſenſible "object; and every nation has formed to itſelf ſome "favorite point, which by way of eminence becomes "the criterion of their happineſs. It happened, you

[1] Speech on Conciliation with America.

"know, Sir, that the great conteſts for freedom in "this country were from the earlieſt times chiefly "upon the queſtion of *taxing*. Moſt of the conteſts "in the ancient commonwealths turned primarily on "the right of election of magiſtrates; or on the "balance among the ſeveral orders of the State. "The queſtion of money was not with them ſo "immediate. But in England it was otherwiſe. On "this point of taxes the ableſt pens and moſt elo- "quent tongues have been exerciſed; the greateſt "ſpirits have acted and ſuffered. In order to give "the fulleſt ſatisfaction concerning the importance of "this point, it was not only neceſſary for thoſe who "in argument defended the excellence of the Engliſh "Conſtitution, to inſiſt on this privilege of granting "money as a dry point of fact, and to prove that the "right had been acknowledged in ancient parchments "and blind uſages to reſide in a certain body, called "a Houſe of Commons. They went much further. "They attempted to prove—and they ſucceeded— "that in theory *it ought to be ſo*, from the particular "nature of a Houſe of Commons, as an immediate "repreſentative of the people; whether the old "records had delivered this oracle or not. They "took infinite pains to inculcate, as a fundamental "principle, that in all monarchies the *people muſt in* "*effect themſelves*, mediately or immediately, poſſeſs "the *power of granting their own money*, or *no ſhadow* "*of liberty could ſubſiſt*. The *Colonies draw from you*, "as with their life-blood, *theſe ideas and principles*. "Their love of liberty, as with you, is fixed and "attached on this ſpecific point of taxing. Liberty

"might be ſafe or might be endangered in twenty "other particulars, without their being much pleaſed "or alarmed. Here they felt its pulſe; and as they "found that beat, they thought themſelves ſick or "ſound. I do not ſay whether they were right or "wrong in applying your general arguments to their "own caſe. It is not eaſy, indeed, to make a mo- "nopoly of theorems and corollaries. The fact is, "that they *did* thus apply thoſe general arguments; "and your mode of governing them, whether through "lenity or indolence, through wiſdom or miſtake, "confirmed them in the imagination that they, as "well as you, had an intereſt in theſe common prin- "ciples."

I need not refer to other portions of Mr. BURKE's ſpeeches in the Houſe of Commons, to illuſtrate the uſe which he made of the arguments which were urged by the body of which he was the legally-appointed and ſalaried Agent. That which I have cited is entirely baſed on the arguments which I firſt read to you; and every prominent point of the argument of that Memorial, even where he does not wholly concur with the Aſſembly, is noticed by their Agent in the ſpeech from which I have laſt quoted.

With theſe facts before us, the intereſt and importance which attach to the Early Political Hiſtory of this State, and the conſequent reſponſibility which reſts on the Society to whoſe foſtering guardianſhip it has been eſpecially intruſted, need no further illuſtration.

All that is conſidered honorable in the hiſtory of this community; all in that hiſtory from which we

ſhould take warning, either as men or as citizens; all that has diffuſed glory around the name and eſcutcheon of New York, depend for the very evidence of their exiſtence on the fidelity with which their duties are diſcharged by ſuch aſſociations as this.

Do the deſcendants of the Dutch look back with honeſt pride on the civil and religious liberty which made the New Netherland the home of the oppreſſed and the refuge of the outcaſt—even thoſe from New England, who had dared in THAT *peculiar* ſanctuary of freedom to poſſeſs and to exerciſe conſciences which had not been caſt in the Puritanic mould?[1] Do they refer, and teach their children to refer, to the ſturdy refuſal to yield their guaranteed rights as men and as ſubjects? Do the repreſentatives of BRADFORD and of ZENGER, of MORRIS and of DE LANCEY, of VAN DAM and of CLARKE, of COLDEN and of SCOTT, of SMITH and of LIVINGSTON, refer to the noteworthy deeds of their reſpective anceſtors? Does the zealous but leſs conſpicuous New Yorker, in behalf of his native or adopted State, contend with the equally zealous New Englander for the honor of priority in reſiſting the aggreſſions of the Crown, and deny the peculiar honors which have been demanded reſpectively for King-ſtreet and Lexington? Does he join iſſue with Mr. JEFFERSON and the champions of Virginia, or with Mr. ADAMS and the champions of Maſſachuſetts, when they ſet up the claims of their reſpective

[1] As in the caſes of ROGER WILLIAMS and ANNE HUTCHINSON.

States to the honor of having originated and ſet in motion, and enjoyed the benefits of, the labors of the firſt two of that "great invention" known as "Committees of Correſpondence?" Does he claim for New York the honor of priority in reſiſting the right of impreſſment for the Navy? Does he point to the ſlope of Golden Hill, and ſay, "On that ſpot, "five years and four months before the Battle of "Lexington—two months before the maſſacre in "King-ſtreet even—was the *firſt* blood ſhed, in con- "flict between the Coloniſts and the Royal forces?" Whither can they turn for evidence, but to the archives of ſuch aſſociations as this—to the depoſitories of the records on which reſts all that has been written, all which can be written, on the Political Hiſtory of New York?

The events which I have thus traced in the Early Political Hiſtory of New York from their commencement in the reſolute reſiſtance of the Dutch in this city to the oath which Colonel NICOLLS had required of them, until their termination in the eſtabliſhment of the Independence of our country, arreſted the attention of the moſt diſtinguiſhed ſtateſmen of the Old World; and, as I have ſhown, they elicited the admiration and arouſed the ſympathies, if they did not control the political action, of one of the moſt diſtinguiſhed of their number—EDMUND BURKE, the champion in the Britiſh Houſe of Commons of the remonſtrant Colonies, and the official repreſentative of the Aſſembly of New York near the Britiſh Government.

In his ſpeech on "*American Taxation*," delivered

in 1774, with powerful and perſuaſive eloquence, he advocated the political rights of the Colonies; and, in the courſe of the debate on that queſtion, he declared that nothing in the hiſtory of mankind was like their progreſs. "For my own part," he continued, "I never caſt an eye on their flouriſhing "commerce and their cultivated and commodious "life, but they ſeem to me rather ancient nations, "grown to perfection through a long ſeries of fortu- "nate events and a train of ſucceſsful induſtry, "accumulating wealth in many centuries, than the "Colonies of yeſterday; than a ſet of miſerable out- "caſts, a few years ago, not ſo much *ſent* as *thrown* "out on the bleak and barren ſhore of a deſolate "wilderneſs, three thouſand miles from all civilized "intercourſe."

In the following year—1775—in his maſterly ſpeech on "*Conciliation with America*," Mr. BURKE called the attention of the Houſe of Commons to the growth of England's proſperity, which "had hap- "pened," he ſaid, "within the ſhort period of the "life of man—within ſixty-eight years;" and again, with impaſſioned eloquence, he alluded to the greater progreſs in all that conſtituted the true greatneſs of the Britiſh Colonies in America. "For inſtance," he exclaimed, referring to the progreſſive greatneſs of England, "my Lord BATHURST might remember all "the ſtages of that progreſs. He was, in 1704, of "an age at leaſt to be made to comprehend ſuch "things. He was then old enough, 'acta parentum "'jam legere et quæ ſit poterit cognoſcere virtus.' "Suppoſe, Sir," he continued, "that the angel of

"this auſpicious youth, foreſeeing the many virtues "which made him one of the moſt amiable, as he is "one of the moſt fortunate men of his age, had "opened to him *in viſion* that when, in the fourth "generation, the third prince of the houſe of Brunſ- "wick had ſat twelve years on the throne of that "nation which was to be made Great Britain, he "ſhould ſee his ſon, Lord Chancellor of England, "turn back the current of hereditary dignity to its "fountain, and raiſe him to a higher rank of peerage, "whilſt he enriched the family with a new one." Then, riſing with his ſubject, with matchleſs eloquence the orator proceeded with his more grateful taſk of portraying the greatneſs of Colonial America. "If amidſt theſe bright and happy ſcenes of domeſtic "honor and proſperity," he exclaimed, "that Angel "ſhould have drawn up the curtain and unfolded the "riſing glories of his country; and whilſt he was "gazing with admiration on the commercial grandeur "of England, *the Genius* ſhould point out to him a "little ſpeck, ſcarce viſible in the maſs of the national "intereſt—a ſmall ſeminal principle rather than a "formed body—and ſhould tell him, 'Young man, "'there is America, which at this day ſerves for "'little more than to amuſe you with ſtories of ſav- "'age men and uncouth manners, yet ſhall, before "'you taſte death, ſhow itſelf equal to the whole of "'that commerce which now attracts the envy of the "'world. Whatever England has been growing to "'by a progreſſive increaſe of improvement, brought "'on by varieties of people, by ſucceſſion of civil- "'izing conqueſts and civilizing ſettlements in a

"'ſeries of ſeventeen hundred years, you ſhall ſee as "'much added to her by America in the courſe of a "'ſingle life.' If this ſtate of his country had been "foretold to him, would it not require all the ſan- "guine credulity of youth and all the fervid glow of "enthuſiaſm to make him believe it? Fortunate "man, he *has* lived to ſee it! Fortunate, indeed, if "he lives to ſee nothing that ſhall vary the proſpect "and cloud the ſetting of *his* day!"

This remarkable "viſion," in its glorious array of brilliant thoughts, vigorouſly and eloquently expreſſed, was a portion of that ſpeech in which its author enforced the duty of conciliating the Colonies; of that ſpeech which was ſaid to have "teemed "with important principles, adorned and enforced "with the prodigal illuſtrations of his fancy;"[1] of that ſpeech concerning which Mr. Fox remarked: "Let Gentlemen read this ſpeech by day and medi- "tate upon it by night: let them peruſe it again and "again, ſtudy it, imprint it in their hearts—they "would then learn that *repreſentation* was the ſove- "reign remedy for every evil."[2]

As time rolled on, the dawn of the preſent century witneſſed America ſtill further advanced in her progreſs to greatneſs. Severed, politically, from the Mother Country, the repoſitory if not the guardian of the political and religious rights of man, the refuge of the perſecuted and the oppreſſed of the Old

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[1] *Summary of the Life of* EDMUND BURKE, xxviii.

[2] Quoted by Mr. PETER BURKE in his *Summary of the Life of* EDMUND BURKE (p. xxviii.).

World, ſhe had demanded and aſſumed, "among the "powers of the earth, the ſeparate and equal ſtation "to which the laws of Nature and of Nature's GOD "entitled her;" and by her ſword and by her induſtry ſhe had eſtabliſhed her right to that place, and rendered more apparent than ever before, the neceſſity of that wiſe precaution which, four years later, made the collection and preſervation of the materials for her hiſtory, in ſuch Societies as this, a duty which ſhould not be neglected.

Before the firſt half of this century had paſſed, American enterpriſe and heroiſm had carried the civil authority of the United States acroſs the Rocky Mountains and eſtabliſhed it on the very ſhores of the Pacific Ocean. Thence, the new States which were ſpeedily formed and became members of the Union, looked out, over the vaſt expanſe of waters, upon the iſlands of the ſea, and upon "the Orient" —the far-off continent of Aſia. From the latter, and from the iſlands—both obſcured by ignorance and ſuperſtition and ſocial wickedneſs—the appeal has reached our ſhores, as the cry of the "man of "Macedonia" reached the apoſtle; and the urgent demand for help—"Come over and help us"—has been reſponded to from what to them is the Eaſtern ſhore of the New World—from the youthful republic; the miſtreſs of the world's weſtern boundary; the very limit of the "weſtward march of empire."

And who that conſiders the retrograde condition of the Aſiatic and African continents can be inſenſible to ſuch a *call!* The progreſſive ſpirit of enterpriſe which characterized our countrymen at the commence-

ment of our exiſting political difficulties, had carried the commerce of America into every ſea; and all the great marts of the world were crowded with her adventurous ſons. At the preſent day, notwithſtanding the internal troubles which afflict us, the providence of GOD continues to point out to us our proſperity, and to indicate, in language which cannot be miſunderſtood, our miſſion among men—a miſſion which affects at once their ſocial, their political, and their ſpiritual welfare. From the mighty Weſt—the infant Hercules of our political world—and from the vaſt territories bounded by the Rio Grande, the unemployed elements of national wealth and national power riſe up and bear teſtimony concerning our duty to the benighted and the fettered nations of the earth, and our capacity to diſcharge it; while the ceaſeleſs din of the ever-buſy Eaſt, and the ebb and flow of the tide of commercial greatneſs through which the wealth of the world is poured into *our* lap, alike point out our fitneſs for the taſk, our ability to execute it, and the criminality of our neglect, ſhould we fail to obey.

Skepticiſm may doubt this! It regards neither the leſſons of experience nor the "bow of promiſe" in the future. Nor does it duly heed the portentous events now tranſpiring, the convulſive throes of a great nation, the political upheaving among the maſſes, the mighty ſocial diſruptions, or the important elementary changes, which the exiſting civil war preſents in their gigantic and impreſſive ſignificance.

But the Chriſtian's faith contemplates theſe momentous occurrences in their providential direction,

as civilizing agencies, productive of ſocial reforms and eventual bleſſings. They are harbingers of the day when "the earth ſhall be full of the knowledge "of the LORD, as the waters cover the ſea."

In hope, Faith ſees the "Angel of Peace" re-enter the once happy homes, around whose hearthſtones are gathered the mourners lamenting the loved ones who have periſhed in the ſervice of their country. While gently cloſing his wings to reſt among them, he lifts the veil which diſcloſes the future, and, as they look, they catch inſpiration from the glories it reveals, and rejoice that theſe ſacrifices were not made in vain.

There is a hope, however, "an anchor of the "ſoul both ſure and ſteadfaſt," which animates the Chriſtian patriot in his reflections on the deſtiny of America. It imparts ſtrength to the conviction, that whenever our country is purified from the droſs intermingled with its otherwiſe free and popular inſtitutions, by the fiery ordeal through which it is paſſing, it will arouſe itſelf "as a ſtrong man to run "a race," and ſtart afreſh on its Chriſtian career with a belief in that deſtiny, not leſs firm than was the deep and abiding faith of an ancient author, which he happily expreſſed in theſe few but animating words: "*Θεοῦ θέλοντος, κἂν ἐπὶ ῥιπὸς πλέῃς, Σώζῃ*"*—GOD protecting thee, though thou wert at ſea upon a twig, thou ſhouldſt be ſafe!

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* THESTIUS, apud THEOPHIL. ad AUTOLYC., lib. ii, § 8. Probably a Greek proverb—thus: Θεοῦ θέλοντος, κἂν ἐπὶ ῥιπὸς πλέοις—ſuppoſed from PINDAR. See PLUTARCH'S *Moralia*, 2, 405, B.

An Address

DELIVERED BEFORE THE

NEW-YORK HISTORICAL SOCIETY

AT THE CELEBRATION OF ITS

SEVENTY-SECOND ANNIVERSARY,

TUESDAY, DECEMBER 19, 1876.

BY

FREDERIC DE PEYSTER, LL.D.,

PRESIDENT OF THE SOCIETY.

NEW YORK:

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ISSUED FEBRUARY 22, 1877.

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SEVENTY-SECOND ANNIVERSARY.

AT a special meeting of the NEW YORK HISTORICAL SOCIETY, held in its Hall, on Tuesday evening, December 19, 1876, to celebrate the Seventy-second Anniversary of the founding of the Society, the First Vice-president, WILLIAM CULLEN BRYANT, LL.D., presided.

In accordance with the course observed on similar commemorative occasions the Rev. WILLIAM ADAMS, D.D., LL.D., and President of the Union Theological Seminary, New York, at the request of the presiding officer offered up a very impressive and appropriate prayer.

Mr. Bryant then introduced the President of the Society as the orator of the evening, and said:

Gentlemen of the New York Historical Society—The gentleman whom your suffrages have constituted the President of this Society needs no formal introduction from me when about to appear before you. Lately we listened with interest to a discourse of his, which may be designated as a monograph of William the Third. This evening he will conduct us through what I may call a gallery of the intellectual portraits of the representative men by whom the reign of that monarch was illustrated. I present to you Mr. de Peyster, who wil address you.

The President, FREDERIC DE PEYSTER, LL.D., then delivered the Anniversary Address, the subject being: "Representative Men of the English Revolution."

On the conclusion of the address, Hon. JAMES W. BEEKMAN, Second Vice-president, submitted a resolution, and spoke as follows:

I submit to the Society a proposition which I am sure will meet with an unanimous response:

To the wise care of the Dutch Stadtholder, who was afterwards William the Third of England, the Colonies that became these United States of America owed much.

Education and liberty of conscience, brought over by him from Holland into England, were in turn transmitted under his government to the Western Continent.

The Society for the Propagation of the Gospel into Foreign Parts was chartered by William III., and was the crowning glory of a ruler who had vetoed the Massachusetts law that punished witchcraft with death, had established William and Mary College in Virginia, originated the Society Library in New York, sent Halley the astronomer to America, and instructed the Earl of Bellomont to educate the people at large, including the Negroes and the Indians.

Such a sovereign drew around him men of like ability, and for the admirable commemoration just given us of John Locke, Sir Isaac Newton, Dryden, Dean Swift, Bishop Stillingfleet, Sir William Temple, and Marlborough, our hearty thanks are due.

It is fitting that a descendant of Col. Abraham de Peyster—who, as Senior and Presiding Member of the King's Council, administered *pro. tem.* the affairs of this Province, in 1700—should remind us of these illustrious contemporaries and subjects of the Great Hollander who secured in England the liberty of the press and of religion, and who established there honest finance and ministerial responsibility.

Abraham de Peyster, as Alderman, Mayor of New York City, Colonel commanding the Militia, Horse and Foot, of the City and County of New York, Judge of the Supreme Court, and Treasurer of the Provinces of New York and New Jersey, was eminent as a defender of popular freedom in the Colonies. He was virtually the Finance Minister on whom a succession of the Royal Governors relied, and he deserves to be ranked among the ablest public men of the reign of the Third William of England.

I move, therefore, the adoption of the following resolution :

Resolved, That the thanks of the Society be presented to the President of the Society, FREDERIC DE PEYSTER, Esq., LL.D., for his learned and able address delivered before the Society this evening, and that a copy be requested for publication.

Mr. Bryant, on putting the question, said :

You have heard the resolution, gentlemen ; it is seconded, and I am sure will meet with your hearty approval. The profound attention which you have given to the discourse of our President testifies to your sense of its merits, and you will readily adopt a resolution which so well expresses the pleasure it has given us.

The resolution was adopted unanimously.

[Extract from the Minutes.]

ANDREW WARNER,
Recording Secretary.

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FREDERIC DE PEYSTER, LL.D.

FIRST VICE-PRESIDENT,
WILLIAM CULLEN BRYANT, LL.D.

SECOND VICE-PRESIDENT,
JAMES W. BEEKMAN.

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[The President, Recording Secretary, Treasurer, and Librarian are members, *ex-officio*, of the Executive Committee.]

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A. B. DURAND, JOHN A. WEEKS,
ANDREW WARNER, EDWARD SATTERLEE,
WILLIAM J. HOPPIN, CEPHAS G. THOMPSON.

WILLIAM J. HOPPIN, *Chairman.*
ANDREW WARNER, *Secretary.*

[The President, Librarian, and Chairman of the Executive Committee are members, *ex-officio*, of the Committee on the Fine Arts.]

REPRESENTATIVE MEN

OF THE

ENGLISH REVOLUTION.

THERE is no period more memorable in English History than that which is known as the English Revolution. This period marks a transition in the opinions and institutions of England, which have placed that country in the front rank, among the nations, in modern progress and reform. Everything, therefore, which helps to illustrate the true character of this period is of universal interest, especially to the English speaking populations of the world.

I would claim, moreover, that the whole subject of the influence which produced, and the effects which have followed from the English Revolution, in 1688, is of the deepest possible interest to us, in this coun-

try, who are members of the great English family, and have inherited so much that is precious and glorious in English institutions and life. In this centennial year, in which we celebrate, under such auspicious circumstances, the close of the first century of our country's history, it may be well for us to remember that, in addition to all the various political, intellectual, and social influences which come to us from the period of the English Revolution, our forefathers of a hundred years ago found in that memorable event, in their mother country, the principles which imperatively demanded, and the precedent which abundantly justified the American Revolution.

In directing your thoughts to a subject so vast in its relations as the English Revolution, it seems best that we should confine our attention to some prominent and significant phase of that period. In pursuing this method, we shall but follow the advice of Plato, who says: "Let us pursue the inquiry, not in relation to all ideas, lest the multitude of them should confuse us, but let us select a few of those which are reckoned to be the principal ones." With the purpose of bringing out as fully as possible, within the brief limits permitted me, the true character of this period, and its influence in establishing those principles of which we claim, in this country, to be, in a very important sense, the true exponents, I would ask your attention to a consideration of the

character and influence of some of the prominent men of that period. In carrying out this purpose, I would select those men who may be regarded as typical of the class to which they belong—the loftiest peaks in the mountain ranges by which they are surrounded.

There is a very common tendency to exaggerate the power of individual influence in critical periods in history. A philosophical view of history will recognize in it a divine purpose and plan, which works out its ends independently, to a great extent, of individual influence. There is a predetermined development in which individuals work blindly, without a full understanding of the results to which their efforts contribute. But, on the other hand, it would be unphilosophical and vain to deny the powerful influence which individuals may consciously and purposely exercise upon the great developments of history. They are divine instruments, and still self-conscious and free, in the evolution of the grandest processes and results in the progress of the world.

In the unfolding of this subject we need some law by which the grouping of these representative men may be determined. There must be some principle which will give unity to the presentation, and show how each life, in its own sphere, contributes to the result contemplated by a higher power. This law it is not difficult to discover, and this unity discloses

itself readily to the thoughtful mind. The spheres of human energy and power which sway the destinies of mankind are found in metaphysics, in natural philosophy, in literature and poetry, in theology, and ecclesiology, in statesmanship, and in arms. It is my purpose to select, in these spheres of influence, those who may be justly regarded as representative men in the period of the English Revolution.

The grand figure among them all, which first rises before our view, is that of William, the Prince of Orange, the third of that name upon the throne of England. The splendor of his lineage; the vast responsibility and power to which by his birth he found himself called; the wonderful successes which he achieved in the stupendous objects, both in his own native land and in England, which he purposed to accomplish; the magnificent position assigned him, by Providence, as the principal instrument in this great crisis in England's history,—all these invest his career with unparalleled interest and importance.

This central and most prominent figure in this great drama I wish to approach by first carefully considering the position and influence of some of the celebrated men by whom he was surrounded.

In turning our thoughts to the realm of metaphysics or speculative philosophy, we find, as the representative man of his period, no less distinguished a philosopher than John Locke. Whatever may be

WILLIAM KONING VAN ENGELAND
Schotland Vrankryk en Yrland.

thought of the character and effects of his philosophy, there have been few men in the history of the world who have exercised so powerful an influence upon the opinions and practical affairs of mankind. John Locke was a legitimate outgrowth of those tendencies in human thought which had culminated in the philosophy of Lord Bacon. He belonged necessarily to the school, although he would have dissented from many of the opinions, of the French Encyclopædists, and of the English Utilitarians. He himself imparted a powerful impulse to that tendency, which finally took form in the utilitarian ethics of Paley, in the theories of Jeremy Bentham and James and John Stuart Mill, and in the German and English scientific materialism of the present day. In regard to very much of this philosophical development we cannot but regard the influence of Locke as exceedingly undesirable; but there are other respects in which he met a great want of his age, and contributed pre-eminently to the solving of problems of the greatest importance to the world. I should say that his great merit lay in restricting, for the time being, the limits of human inquiry, and thus directing all the energies of the mind to the investigation of those phenomena which are connected with the material interests of society. In the time of the English Revolution, when institutions were taking to themselves new shapes, this careful study of the material phenomena of life,

upon the basis of observation and experience, was of pre-eminent importance.

The life of John Locke touches at several points some of the most prominent events connected with the English Revolution. He was born in 1632, and died in 1704. His principal work—the Essay on the Human Understanding—was written in 1670. He held various offices under Government, through the favor of his patron, the Earl of Shaftesbury. When, in 1682, Shaftesbury fell under the displeasure of the Government, being charged with high treason, and was compelled to flee to Holland, he was accompanied by Locke. In 1688 his celebrated letter to Limbarch on Toleration was published, and in the same year he returned to England in the fleet which bore the Prince of Orange. He immediately received the appointment of Commissioner of Appeals, which he held until the failure of his health. He refused to hold it longer, and declined a higher office tendered him by the king, and a pension from the Government, declaring himself unwilling to receive any emolument for which he rendered no equivalent. The closing years of his life were spent in the study of the Scriptures and in the writing of works illustrating the truths of Christianity.

The sources of the powerful influence which Locke has exercised upon the thought of the world are to be found mainly in his two works, the one on the

MARIA KONINGIN VAN ENGELAND
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Human Understanding, the other on Toleration. In the first he attempts to explode the theory of innate ideas, and to base all knowledge upon observation and experience. Locke's view of this great question is undoubtedly very defective; but it acquired such ascendency that it became one of the most fruitful causes of that careful consulting of observation and experience, and that eminently practical character, which has marked the political administration and reform policy of England, from the accession of William and Mary to the present day. The work on Toleration is so masterly a vindication of the principles upon which the duty and expediency of Toleration rest, that it had at once its influence in determining the tolerant policy of the Government, and has ever since stood unrivalled and undisputed as the one great authority upon this subject.

In the first Preliminary Dissertation to the Encyclopædia Britannica, Mr. Dugald Stewart has preserved for us a very remarkable correspondence between Sir Isaac Newton and John Locke. Sir Isaac had, as he was afterwards convinced, seriously misunderstood some of Locke's positions, and had condemned them with great severity. In a letter to Locke he expresses the deepest regret, on this account, and humbly implores his forgiveness. Locke's reply is a model of manly Christian feeling.

We pass thus naturally, in the consideration of the

great men of the English Revolution, from John Locke to Sir Isaac Newton, and from the realm of metaphysics to that of natural philosophy. That the enormous development of industrial interests and of scientific discovery, in modern times, has been dependent upon a knowledge of the laws of nature, no one will doubt. The fact, then, that Sir Isaac Newton lived in the period of the English Revolution marks that period as the most memorable, in all history, for the discovery of the fundamental laws of nature. The discovery of these laws by Sir Isaac Newton, and the wonderful instrumentalities for investigation and calculation which he devised, have made him, more than any other man, a great impelling power in the stupendous industrial and scientific development of the last two hundred years.

Sir Isaac Newton was born in 1642, and, though apparently of feeble constitution, lived to more than eighty-four years of age, and, during almost the whole of this period, with rare intervals of prostration, was able to perform a prodigious amount of mental labor. Under William III. his great services to science were recognized; and the king, in 1694, made him Warden of the Mint, in which office his chemical and mathematical abilities enabled him to superintend successfully the difficult work of the recoinage of the money of the realm.

The principal discoveries of Sir Isaac Newton were

JOHN LOCKE.

those of the composition of light, of the attraction of gravitation, and of fluxions, or of the integral and differential calculus. All these are of the utmost importance in scientific inquiry and mechanical inventions.

The extraordinary penetration of Newton's mind and the accuracy of his method are wonderfully indicated in the fact that some of his discoveries have been assailed, and unsuccessfully, by men of the highest intellectual ability. Bishop Berkeley, with all the power of his keen and subtle intellect, contested the principles involved in fluxions; and Goethe, in his Farbenlehre, has passionately attempted to controvert the doctrine of the composition of light; but the Newtonian theories hold their place as established facts. It is true that previous investigations had largely prepared the way for the discoveries of Sir Isaac Newton, and that he must share with Leibnitz the glory of having devised the integral and differential calculus. But no man who ever lived, if we except Kepler, has had the genius of discovery which Newton possessed. His power of sustained investigation and profound thought, his entire emancipation from the influence of preconceived ideas, and his marvellous insight into nature, make him pre-eminently the great discoverer in the realm of natural philosophy.

In considering the services which Sir Isaac New-

ton rendered to science, it is fitting that some allusion should be made to the astronomer Halley. The latter had for some time been carefully studying Kepler's laws, and had come to the conclusion that "the centripetal force must decrease in proportion to the squares of the distances reciprocally." Kepler was unable, however, to give mathematical or geometrical expression to this conclusion. He consulted, in the first place, Mr. Hooke and Sir Christopher Wren; but they were unable to give him the information he desired. He then went to Cambridge to consult with Sir Isaac, who immediately furnished him with the process by which the conclusion was reached.

Halley urged that it should be given to the world, and the result was the "Principia Mathematica Philosophiæ Naturalis," which was thereupon published under Halley's care and at his expense; and, furthermore, with an appropriate introduction, was by him presented to James II. in 1686.

It would be impossible to measure the vast extent of Newton's influence upon scientific progress in England and throughout the world; but it is safe to say that there has been no great scientific discovery, and no triumph of engineering skill for nearly two centuries, which has not been immensely indebted to the methods and instrumentalities devised by him.

As we stand, in this centennial year in our coun-

ISAAC NEUTON

Gravé d'Après la Medaille Ic.

try's history, in the presence of the vast exhibition of the industry of all nations, we can approach nearer perhaps than in any other way to an estimate of what Sir Isaac Newton has accomplished for mankind.

The discovery of the attraction of gravitation has given accuracy and precision to those calculations upon which safety in commerce so largely depends; and these products of the natural resources and industry and art of the most distant portions of the world testify, therefore, to the indebtedness of mankind to the great discoverer.

The artist owes to the discovery of the composite character of light much of the facility with which brilliant effects in color are produced. And all this stupendous sweep of machinery, so instinct with skill and power, is the expression of mathematical processes which the calculus of Sir Isaac Newton has alone rendered possible.

In passing to the literary character and influence of this period, no one can be compared, for a moment, as the representative man, with Jonathan Swift. Of obscure birth, a great part of his life spent in little better than menial positions and in bitter penury, he raised himself, at last, by sheer intellectual power to an equality with the most distinguished men of the realm. He was born in 1667, and died in 1741, and thus his life was contemporary

with the great events of the English Revolution. Although an ecclesiastic and the Dean of St. Patrick's Cathedral, Dublin, it is as a political satirist that he is best known to the world. In this sphere of literature he has probably never been equalled by any writer in the English language; and although the controversies which called forth his principal productions have long since passed away, his mastery of his mother tongue, and the intense keenness of his satire, have secured for him an easy pre-eminence down to the present day.

After leaving the University, Swift was employed as an amanuensis by Sir William Temple, at a salary of £20 a year. This relation was bitterly humiliating to Swift, who was conscious of possessing abilities incomparably superior to those of his patron. These abilities seem to have been to some degree recognized, however inadequately they may have been rewarded, by Sir William Temple. He employed Swift, on a certain occasion, to present his views, on the question of triennial parliaments, to William III., who had requested his opinion on that subject. The king seems to have been more impressed with his physical than his intellectual superiority, and offered him a troop of horse. This proposition was subsequently commuted, it would appear, for a promise of some Church preferment. Swift accordingly gave up his position, and took orders in

Jonat: Swift.

Ireland. Shortly afterwards, however, he returned to England, and entered again into the service of Sir William Temple, with whom he remained until the death of the latter, in 1698.

Swift, having made the best use of the opportunities for acquiring political knowledge afforded him during his residence with Sir William Temple, now entered upon his career as a political writer. He first devoted his extraordinary powers of sarcasm to the service of the Whigs; but subsequently joined the Tories, in behalf of whose cause most of his literary labors were undertaken. Swift's first prose publication, "The Battle of the Books," bears marks of his resentment against his kinsman, Dryden, who had once said to him, "Cousin Swift, you will never be a poet." This work was followed by the "Discourse on the Dissensions in Athens and Rome," written in the Whig interest, and shortly after by that extraordinary publication, the "Tale of a Tub." About this time occurred the conversion of Swift to the doctrines of the Tory party, and ultimately to the extreme and exclusive position of Bolingbroke. He was rewarded, by a Tory Ministry, with the Deanery of St. Patrick's Cathedral, Dublin.

There is no occasion to deal here with questions involving the personal character of Dean Swift. Suffice it to say, that in regard to certain most extraordinary and romantic incidents in his life, what-

ever suspicious circumstances there may have been, they are readily explicable, without reflecting upon the purity of his character, but not without leaving a most painful impression of his selfishness and heartlessness.

Dean Swift was a man of intensely bitter prejudices and hatred, and this quality imparts sometimes a venom to his satire. He hated not only his enemies, but apparently the whole race; no class, however exalted, escaping his ridicule. An example of the ferocity of his wit is to be found in a celebrated passage of his in regard to the Irish bishops. He says: "It is quite a mistake to blame the English Government for sending us bad bishops; it is invariably careful to select men of the purest morals and most fervent piety. The misfortune is, that as these estimable prelates cross Hounslow Heath, on their way to their dioceses, they are invariably stopped and murdered by the highwaymen, which unprincipled persons assume their robes and their patents and come over here in their place, to the injury and scandal of true religion among us." Another instance of the terrible irony of his satire is to be found when he is commenting upon legislation in regard to the poor, and proposes the fattening of the babies of the lower classes in order to furnish an additional source of food.

The relation of Dean Swift's influence to the prog-

ress of the nation, upon the basis of the Revolution, is a very interesting subject for consideration. He became, by the force of circumstances, and probably, also, from the necessities of his own temperament, intensely conservative. Having rendered, early in life, distinguished services to the Whig party, and thus given his powerful influence to the principles of the Revolution, he, later in life, gave the vast power of his intellect to the most extreme form of Toryism. This fact in the career of Swift is a suggestive one. Its significance would seem to be that satire, like that of Dean Swift, is very apt to ally itself finally with that cause which is narrow and exclusive, whether in Church or State. Genial satire, like that of Rabelais or Cervantes, allies itself naturally with the cause of progress and reform; but the sardonic wit of a satirist like Dean Swift, indicates a want of faith in man and of hope in his future, which is inconsistent with anything large and generous in political ideas. It moves in the sphere from which solid argument and enlightened reason are necessarily excluded. Notwithstanding, therefore, the splendid abilities of Dean Swift, and the powerful influence which in his lifetime he exercised, he has left no political lesson for posterity. He has aided in the solution of no great social problem, has contributed nothing to the alleviation of the condition of the laboring and the poor. He is remembered chiefly

for his literary pre-eminence and the brilliant halo which he cast over the reigns of William and Mary and of Anne.

In our consideration of the intellectual influences of this period, we pass naturally to the career of John Dryden. Many English poets have largely influenced the political and literary tendencies of the period to which they belonged, but Dryden was pre-eminently a political poet, and actually founded a new school of English literature. He is, therefore, not only one of the representative men of the period we are considering, but is one of the great names in English history.

Dryden's early literary career was not very full of promise. He wrote with great rapidity, and with consequent carelessness. His success, however, was sufficient to excite the envy and hatred of the Earl of Rochester and the Duke of Buckingham. The Earl of Rochester subjected him to a most unfair mortification at court, and the Duke of Buckingham made his productions the subject of ridicule in the "Rehearsal." In revenge for these attacks, Dryden published an "Essay on Satire," which administered a severe castigation to the Earl of Rochester, and "Absalom and Achitophel," in which the character of Zimri is drawn as representative of that of the Duke of Buckingham. Dryden wrote in 1680 a translation of two of Ovid's Epistles, and in 1682 his "Reli-

DRYDEN.

gio Laici," which he intended to be a defence of Christianity. In the reign of James II., Dryden wrote, in justification of his change in religious sentiments, "A Defence of the Papers left by the late King," and his celebrated poem, "The Hind and the Panther." These were followed by the satirical poem, "MacFlecknoe," by several translations from French and Latin, by the grand version of the works of Virgil, and, in extreme old age, by the famous "Ode to St. Cecilia's Day."

The influence of Dryden upon English literature, and especially upon English poetry, has been marked and powerful. As Lord Macaulay well says of him, he did not belong to the highest class of poets, but in the second class he stood first. It must be remembered, however, that a great change took place in Dryden during his literary career, and that it is to the works written in the latter part of his life that his fame and influence are due. The great service which he rendered to literature is to be found in the capabilities of the English language which he developed. Before his time it had not yielded readily to varied and complex versification, and had successfully resisted the efforts which had been made to make it the vehicle of scientific expression or of logical processes in a poetical form. In Dryden, however, it found a master. There is a marvellous felicity, dignity, and clearness in Dryden's later productions; and

after a long interval, in which succeeding poets seem to have profited little by his success, his influence is apparent in some of the best poetry of this and preceding generations. Wordsworth's lucidity of expression, and the wonderful command of language and varied forms of versification which so remarkably characterize the poems of Shelley and Tennyson, may be traced largely to the influence of Dryden. Dryden was born in 1631, and died in 1701. He was contemporary, therefore, for many years, with the influences which were leading to the English Revolution. His political opinions seem at first to have been liberal. On the death of Oliver Cromwell we find him writing a poem in honor of the Lord Protector; but he wrote poems with equal zeal in eulogy of Charles II., and followed the Stuart dynasty, with ready service, in all its subsequent retrograde and despotic career. Under Charles II. he was made poet-laureate and historiographer to the crown. In the reign of James II. he so far consulted the prevalent sentiment at court as to become himself a Roman Catholic. After the accession of William and Mary, this fact disqualifying him for office, he lost these positions, with the emoluments attached to them, and for the last twelve or thirteen years of his life was dependent entirely upon literary labor for his support. These political changes need not be regarded necessarily as the results of interested

EDWARD STILLINGFLEET, D.D.
Biſhop of Worceſter.

motive. They proceeded rather from the easy yielding of the poet to the prevalent influences around him. It is remarkable, however, that the two men most distinguished in literature, in that period—Jonathan Swift and John Dryden—should have resisted the tendencies which were leading to a new era in the history of England. The result is a significant indication that no amount of intellect, or brilliancy of wit, or keenness of satire, can long arrest the progress of a nation in the development which, through the influences of race, of culture, and of physical conditions, has been predetermined for it by the Almighty Ruler of the world.

Ecclesiastical reform was a subject of very great interest to William III.; and few men have ever been more fitted to counsel and to guide, in such a work, than Edward Stillingfleet. He acquired an extraordinary reputation, when only about twenty-four years of age, by the publication of his great work: "Irenicum, or the Divine Right of Particular Forms of Church Government Examined." There were views expressed in this work which Stillingfleet subsequently modified, but it was the first utterance of a purpose which was the guiding principle of his life. This purpose was the promotion of ecclesiastical unity by large toleration and comprehensiveness. In advocacy of these views, and of Christianity generally, he wrote not only the work just referred to,

but the "Origines Sacræ;" two smaller works, one on the Mischief, and the other on the Unreasonableness of Separation; the "Origines Britannicæ;" several treatises against Popery, and controversial works against Socinianism, and some of the principles and arguments of Mr. Locke. Of course Stillingfleet's views as to comprehension and toleration found no favor in the reigns of the second Charles and the second James, but in William III. he found a monarch who held the most statesmanlike and Christian views upon this subject. William almost immediately, upon his accession, addressed himself to the solution of this great problem. The difficulty was an inheritance from the Reformation. The divergencies of theological and ecclesiastical opinion were, on the whole, wisely managed during the first century of this period, but the ecclesiastical measures adopted at the Restoration rendered separation a permanent element in English history.

William hoped that it was not too late to heal the difficulties which had arisen. He therefore appointed an ecclesiastical commission, of which Stillingfleet was one of the principal members, with directions that they should revise the Liturgy, so as to do away, if possible, with the objections of the non-conformists. Parliament also took in hand the subject of toleration and comprehension. The legislation, however, which was finally secured, was very im-

SIR W. TEMPLE.

perfect in its kind and degree, and the ecclesiastical commission at last closed its sessions without reporting the result of their labor. This failure in church reform may have been owing largely to apprehensions in regard to the non-juring schism, and to the feeling, on the part of the Government, that measures designed to conciliate the non-conformists might provoke new secessions to the non-jurors.

The principles which guided Stillingfleet in these great questions were right and true; but it is better, probably, that they did not take form at that time in the measures proposed. There are certain processes in society which are of slow development. They depend upon the growth and diffusion of reason and right feeling, and any attempt to hasten their development, without the presence of the concurrent conditions, will impair their efficiency, and prevent the final attainment of the natural and healthful result.

The consideration thus far of the representative men of the period of the English Revolution has led us from the realm of metaphysics, through the paths of natural philosophy, literature and poetry, theology and Church polity, to the sphere of public affairs and statesmanship. It does not seem difficult to select the representative man of the period in this sphere. Sir William Temple has claims to that position which it would be idle to deny. This will appear from a

brief consideration of the place which he filled in public affairs, from the Restoration to the Revolution. Soon after the accession of Charles II., the relations between England and Holland, which had been cordial and intimate in the time of Cromwell, were seriously disturbed. The sympathies of the court were with France, and, under cover of that sympathy, Louis XIV. began to carry out the favorite project of his life, the annexation of the Spanish provinces upon the eastern frontier of France. This project was of course full of peril both to England and Holland. The dissatisfaction in England with the position of the Government was very great. At this juncture Sir William Temple requested permission of the Government to visit Holland and confer with the Government of that country upon the condition of affairs. At that time John De Witt ruled Holland. The result of negotiations, which were carried on with great ability on both sides, was that, on January 1, 1668, Charles, in council, declared his approval and acceptance of the league proposed by De Witt and Temple. This league, in which Sweden joined, and which is known as the Triple Alliance, was the first real check to the schemes of Louis of France, and foreshadowed the great coalition of which William III. was the head.

It soon became evident, however, that the Government of England must learn a terrible lesson before

the obligations of the Triple Alliance could be fulfilled. Sir William Temple, as ambassador to the Hague, found himself constantly embarrassed and frustrated by the secret sympathy of the court with France. He withdrew from Holland, retired to his country-seat in England, and devoted himself to authorship. Then was the whole aspect of affairs changed. England and France declared war against Holland. The wildest consternation prevailed throughout the United Provinces. De Witt was torn in pieces by a mob, and Protestantism throughout Europe seemed in danger of being overthrown.

It was impossible that such an unnatural alliance as that of England and France, against Holland, should long continue. Public sentiment in England asserted itself so fiercely that the king was powerless to continue the war. There was but one course to pursue, and the author of the Triple Alliance was recalled from his retirement, and charged with the responsibility of negotiating a separate peace with Holland.

Upon the conclusion of peace, which, by Temple's influence, was speedily secured, it became evident that a war with France could not be long averted. It was at this juncture that an event occurred, very largely through Temple's agency, full of the greatest importance, in the great struggle which soon followed,

the marriage of the Prince of Orange and the Princess Mary.

While the influence of Sir William Temple was deeply felt after the accession of William and Mary, he did not engage actively in public affairs. He refused, as he had repeatedly done, the office of Secretary of State, and devoted his time mainly to literary pursuits. His connection with the Revolution and with the reign of William III. is principally important on account of the share which he had in shaping affairs which contributed so remarkably to the success of William in the great coalition against France. There have been few men who have rendered better service to their country, in a great emergency, than Sir William Temple. There was no one in his age who understood more clearly the nature of the crisis through which England was passing. He lived to see the transition safely accomplished, and died in 1699, at the close of this most eventful century in England's history. His body rests in Westminster Abbey, the mausoleum of so many of the mighty dead. His heart was buried at Moor Park, which he loved so well, and beneath the sun-dial which had measured the days and years of the extraordinary period in which the great statesman had lived.

This consideration of the representative men of the period of the English Revolution needs, for its completeness, some notice of the career of the Duke

JOHN, DUKE OF MARLBOROUGH.

of Marlborough, by whose power and genius in the field the results of that great Revolution were permanently secured.

It is not necessary, in this notice, to consider the career of Marlborough except as it has a direct bearing upon the facts and principles involved in the Revolution and as it tends to illustrate the wonderful position which William III. holds in English history. In this respect the achievements of the Duke of Marlborough, as a soldier, are remarkably associated with those of Sir William Temple as a statesman. Both of them were the chief instruments in carrying out the great ideas and purposes of the Prince of Orange, in regard to European policy. From his earliest entrance upon public life, William was haunted with the scheme of a great coalition against the vast and increasing power of France, and for the protection of liberty and Protestantism in Europe. He valued men chiefly as they could afford him aid in this cherished project.

Sir William Temple's residence in Holland rendered him thoroughly familiar with the views of the Prince of Orange. These views had his unqualified approval, and his diplomatic efforts were directed to their accomplishment and to the elevation of William to the English throne. As Temple's political career was almost completed before the accession of William, so Marlborough's achievements, in maintaining the

coalition which William created, had scarcely begun, when William was removed by death. Born in 1650, the Duke of Marlborough was more than fifty years of age when he entered upon those wonderful campaigns which have reflected imperishable glory upon English arms. His military career, for the most part, followed the reign of William and Mary, but it was simply the establishing, by arms, of the great principles by which the life of William had been governed.

We must not fail to notice, in such an account as this, the peculiar domestic circumstances of the Duke of Marlborough which exercised so large an influence upon his career. He married Sarah Jennings, who had been brought up in the household of the Duke of York, afterwards James II., and a strong attachment and intimacy existed between her and the second daughter of the Duke, afterwards Queen Anne. The Duchess of Marlborough had such a thorough knowledge of political affairs, and so much of natural quickness and ability, that, in connection with her position at court, she was able to exercise a powerful influence in her husband's behalf. He was profited or injured by the alternations of favor or disgrace which occurred in the Duchess's relations with Anne. And yet such was the great ability of Marlborough, that, even though he might be the victim of neglect and ingratitude in peaceful times, the

QUEEN ANNE.

Government was compelled to seek his services in every great emergency.

I do not propose to enter upon any of those questions in regard to the character of the Duke of Marlborough which occupy so much of the history of the time. The question of his treasonable relations with James II., or of his avarice and parsimony, have no special bearing upon the points now to be illustrated.

Passing over the earlier life of Marlborough, we come to the period when William III. recognized the absolute necessity of securing his services, in order to the accomplishment of his great designs. So strong was this conviction in the mind of William, that he ignored the supposed treasonable practices of Marlborough, and determined to place him in a position which would secure his loyalty to the reigning family.

The death of Mary led to a reconciliation between the King and the Princess Anne, from whom both he and the Queen had been long estranged. In connection with this reconciliation, the King appointed the Duke of Marlborough governor of the Duke of Gloucester, with strong expressions of confidence and esteem. In the year 1700 the condition of things in Europe appeared exceedingly unfavorable to the designs of William. The crisis which precipitated a general European war was the death of

Charles II., King of Spain. Louis XIV. claimed the succession for his grandson, Philip, Duke of Anjou. The same claim to Spain and all its immense dependencies was made by the Emperor Leopold. Louis XIV. was placed at this time in a specially advantageous position. He had formed alliances with the Elector of Bavaria, with Portugal, and with the two Sicilies. He had secured a free entry into Italy by a treaty with the Duke of Savoy, and had an opportunity in Lombardy for a basis of operations against Austria.

Marlborough, with William III., arrived at the Hague on the first of July, 1701, and immediately commenced negotiations which were designed to reconstruct and extend the coalition, the foundations of which William had already laid. In these negotiations he displayed consummate ability, and met at once, under circumstances of great discouragement, with remarkable success.

It was in the following year that William III. died, exhorting Queen Anne, his successor, to rely upon Marlborough for counsel in the state and for the command of her armies in the field. Immediately upon her accession, she announced her determination to maintain the alliances made by her predecessor, and, in furtherance of this purpose, it was determined by Marlborough and the representatives of the Emperor that war against France should be

declared, on the same day, at London, Vienna, and the Hague.

After the death of William, and before the first campaign of Marlborough, some of the smaller German States joined the alliance. At the opening of the campaign, the allies, under the command of Ginckel, were in the vicinity of Cleves. Cohorne, with about 10,000 men, was at the mouth of the Scheldt. The Margrave of Baden was on the Upper Rhine. The Prince of Saarbruck, with about 22,000 men, was besieging Keyserwerth. The main body of the French army, under the Duke of Burgundy and Marshal Boufflers, was on the Meuse and in the fortress of Liege. Marshal Tallard, with 10,000 men, was marching to the relief of Keyserwerth, and the Count Delamotte and the Marquis of Bedmar guarded the western frontier of the Spanish Netherlands. As the result of this campaign, Keyserwerth was compelled to surrender. The French were compelled to retreat, and Venloo, Ruremond, and Stevenswaert, fortresses of the Meuse, were invested and reduced by the allies. Liege was taken, and the navigation of the Meuse, and the entire Dutch frontier, were wrested from the power of France.

In the campaign of the next year it would seem to have been the main object of Marlborough to get possession of Ostend and Antwerp. It was the plan of Louis to push his troops, under the Duke of

Vendome, through the Tyrol, to be joined by the French and Bavarians, in a combined movement upon Vienna. The plans of Marlborough and Louis alike failed, and the results of the campaign were disappointing to both.

It was in the next year that the grandest achievements of Marlborough were made. With his clear insight and broad comprehensiveness, he saw, what no one else, unless it were the Prince Eugene, was able to see, the exact thing which it was necessary for the allies to do. He matured his plans and made his preparations in secret, or with the knowledge and counsel only of the Prince Eugene. When all was ready, he swept, with the allied armies, to the astonishment of all Europe, from the Moselle to the Danube. It was a blow of terrible severity to the French. The same campaign witnessed the successful assault upon the Schellenberg, and the world-renowned victory of Blenheim.

Then came, in successive campaigns, the battle of Ramillies, the conquest of Flanders, the battle of Oudenarde, the fall of Lille, the capture of Ghent, and the glorious battle of Malplaquet. Then followed one of those periods which had not been infrequent in the career of the great Duke. After all these marvellous achievements by which the French power was restrained and Protestantism saved, political jealousy and personal hatred were able to de-

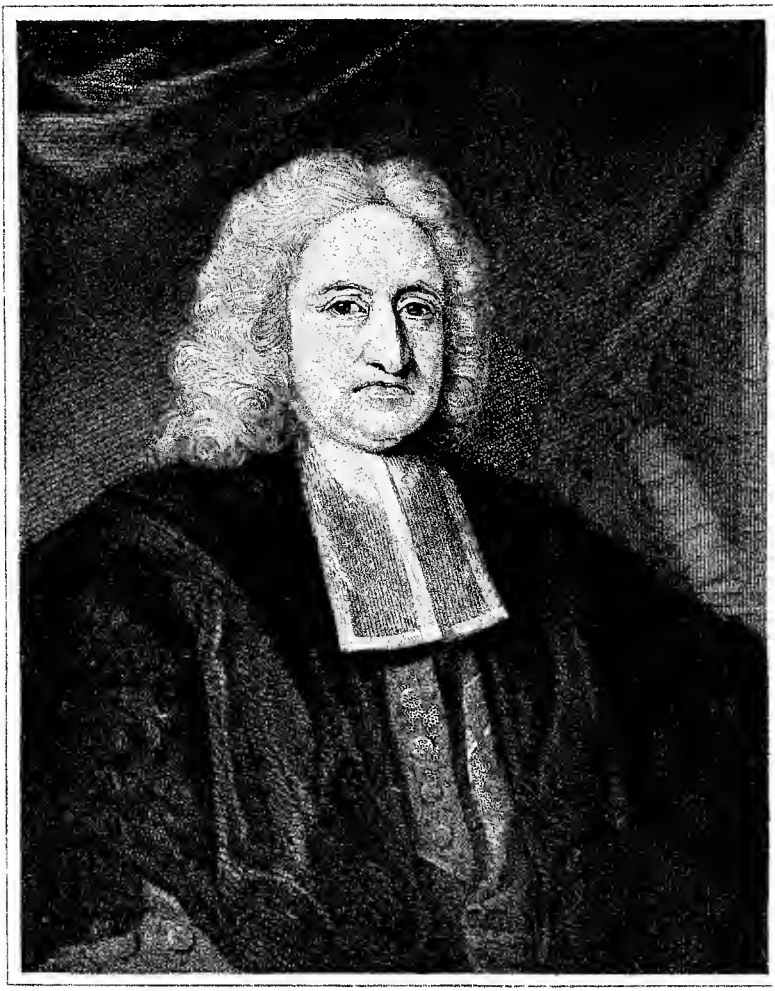
prive Marlborough of his command and all his honors. He retired from the scene of his imperishable glory into private life, and when the peace of Utrecht was consummated, the results, though immensely important and valuable, were less than Marlborough could have secured for England and the other allied powers.

Mr. Edward Everett, in his celebrated oration on the character of Washington, sees fit to draw a comparison or contrast between him and the Duke of Marlborough. He represents himself as standing before the tablet on which are inscribed the names of the great victories which Marlborough won, Blenheim, Ramillies, Oudenarde, Malplaquet. Gradually, he says, as in an ancient palimpsest, the inscription disappeared, and in its place were to be seen the words, Avarice, Treason, Eternal Infamy. The peerless attitude in which Washington stands in history renders it unnecessary that any attempt should be made to raise him to a higher comparative elevation, by hurling others down from the eminences of their glory. I do not care, as I have already intimated, to enter upon a consideration of the personal character of the Duke of Marlborough; but I do not hesitate to say that, for the glory which she has gained in arms, England is more indebted to him than to any other man, except the Duke of Wellington; and that for the preservation, in dire extremity,

of a great cause, which represented liberty, intelligence, and progress, the whole world is more indebted to John, Duke of Marlborough, than to any man, except William, Prince of Orange.

I have, on another occasion, before this Society, considered, fully and in detail, the life and career of William, Prince of Orange, and afterwards William III. of England. He is the central figure, around whom are grouped the extraordinary men whose relation to the Revolution of 1688 we have just reviewed. I am confident that his true place in history has not yet been assigned him. He was grossly misunderstood in his own day, and has been grossly misunderstood ever since. His position as a foreigner in England prevented the English people from a full appreciation of his pre-eminent services and devotion. He was the object of the most bitter and deadly partisan hatred and persecution. The horse from which he fell, receiving an injury from which he died, was habitually toasted at Jacobite dinners. Dignified historians of eminent reputation have not failed to perpetuate slanders as to his personal character. The time will come when the world will recognize his true relation to one of the greatest epochs in the history of the race.

There is one point of view in which it is eminently fitting that we should gratefully cherish his memory, especially in this centennial year, when everything



HALLEY.

in relation to the development of this country has acquired a new significance and interest. William III. was pre-eminently the friend and benefactor of the American colonies. Go to the South, and there, in old Virginia, is that imperishable monument to his wise forethought, the College of William and Mary. Here, in the City of New York, you have in our Society Library the evidence of his deep interest in the intelligence and education of the people. Go to New England, and they will tell you of the deputation sent by the Massachusetts Bay Colony, in the person of the venerable Increase Mather, to remonstrate with the crown against the withdrawal of the charter, and the tyrannies of Sir Edmund Andros, and of the kindly consideration which their representative received from William and the extent to which their requests were granted. It is an interesting fact also that the Government of William III. in 1695 vetoed the Law of the Massachusetts Bay Colony, by which witchcraft was made punishable by death.

There are other evidences also of the deep interest which *William* took in the American colonies. When sending the astronomer Halley, of whom I have previously spoken, upon a scientific expedition to make experiments in regard to terrestrial magnetism, he especially directed him to call at his Majesty's settlements in America, and make

such further observations as were necessary for the better laying down the longitude and latitude of those places. He also instructed the Earl of Bellamont to make provision for the education of Negroes and Indians under his jurisdiction.

But these are only an insignificant portion of the services for which we, in common with the world, owe him imperishable gratitude. It is with this sentiment that we have brought before ourselves these forms of the mighty dead by whom he was surrounded, in order that we might the better, as it were, "watch, fold by fold, the bracing on of his Vulcanian panoply, and observe with pleased anxiety the leading forth of that chariot, which, borne on irresistible wheels, and drawn by steeds of immortal race, is to crush the necks of the mighty and sweep away the serried strength of armies."

The greatest benefit, however, which he conferred upon these and the other colonies under his dominion remains yet to be mentioned. This was the establishment of the "Society for the Propagation of the Gospel in Foreign Parts." This Society, formed and chartered by William III., was, during the colonial period, the source of incalculable blessings of education and religion to our original thirteen States; and it continues to the present day a fountain of salutary influence to the Colonies of Great Britain. The formation of this Society was one of

the last public acts of his life. The historian of the Society, in concluding his work, uses the words: "After having rescued the Protestant religion in Europe and saved the Church of England here, he did, by this last act as it were, bequeath it to his American subjects as the most valuable legacy and greatest blessing."

There is something very touching in the last few years and in the final close of the life of William. This period was darkened by the bitter sorrow which he experienced at the loss of his beloved wife. He suffered greatly from physical pain and infirmity, and found himself more and more alone—a stranger among a people whom he loved, and most earnestly desired to rule wisely and well. He pressed forward, however, most heroically in the accomplishment of the great designs which he had conceived, until his sudden death, a consequence of a fall from his horse. In view of all that he achieved for his kingdom and for the world, we may well apply to him the language of Milton in the "Samson Agonistes." He to his Country

"Honor hath left and Freedom * * *
To himself and Father's house eternal fame;
And, which is best and happiest yet, all this
With God not parted from him, * * * *
But favoring and assisting to the end."

And to him as well as to that noble band by which he was surrounded, and which has furnished us with our theme to-night, may well be applied, for the most part, the words of another poet:

"Walk lightly and with reverent tread,
For here we are among the mighty dead:
In arts, in arms, in letters and in verse,
In state and church their lofty deeds rehearse.

They softened manners, purified the laws,
Led armies to success in Freedom's holy cause;
Some sat on thrones and nations bravely bore
The waves of Revolution safely o'er.

To them let monumental glories rise,
And Fame's shrill clarion pierce the skies;
Let the loud bells and pealing cannon's roar
Thunder their deeds the listening nations o'er.

But let us guard each prize for which they fought,
And cherish every lesson that they taught;
And may the Angel of the nations pour
The treasures they have left, from shore to shore,
Through all the ages, till the world shall be no more."

AN ADDRESS

DELIVERED BEFORE THE

NEW YORK HISTORICAL SOCIETY

AT THE CELEBRATION OF ITS

SEVENTY-FIFTH ANNIVERSARY.

Tuesday, November 18th, 1879.

BY

FREDERIC DE PEYSTER, LL.D., F.R.H.S.,

PRESIDENT OF THE SOCIETY.

NEW YORK

PUBLISHED FOR THE SOCIETY

MDCCCLXXIX

Your affectionate friend & Servant

Bellomont

THE

LIFE AND ADMINISTRATION

OF

RICHARD, EARL OF BELLOMONT

GOVERNOR OF THE PROVINCES

OF

NEW YORK, MASSACHUSETTS AND NEW HAMPSHIRE,

FROM 1697 TO 1701.

AN ADDRESS

DELIVERED BEFORE THE NEW YORK HISTORICAL SOCIETY, AT THE CELEBRATION OF ITS SEVENTY-FIFTH ANNIVERSARY, TUESDAY, NOVEMBER 18TH, 1879,

BY

FREDERIC DE PEYSTER, LL.D., F.R.H.S.,

PRESIDENT OF THE SOCIETY

NEW YORK:

PUBLISHED FOR THE SOCIETY.

MDCCCLXXIX.

NOTE.

Owing to a misunderstanding with the printer, the "proof sheets" of this Address were not diligently compared with the author's manuscript, in consequence of which, several typographical and orthographical errors and a few other mistakes occur in its pages. As these errors were not discovered until the entire edition of the Address had gone through the press, the printing of an *errata* became necessary. It will be found on page 60.

SEVENTY-FIFTH ANNIVERSARY.

At a meeting of the New York Historical Society, held in its Hall, on Tuesday Evening, November 18th, 1879, to celebrate the Seventy-Fifth Anniversary of the Founding of the Society, the First Vice-President, Mr. Charles O'Conor, presided.

In accordance with the course observed on similar commemorative occasions, the Rev. Thomas E. Vermilye, D. D., senior minister of the Reformed (Dutch) Church, New York City, at the request of the presiding officer offered up a very impressive and appropriate prayer.

Mr. O'Conor then introduced the orator of the evening, Frederic de Peyster, LL. D., President of the Society, who delivered the Anniversary Address, the subject being "The Life and Administration of Richard, Earl of Bellomont."

On the conclusion of the address, Hon. Erastus Brooks, after some remarks, submitted the following resolution:

Resolved, That the thanks of the Society be presented to the President of the Society, Frederic de Peyster, Esq., LL. D., for his learned and able address delivered before the Society this evening, and that a copy be requested for publication.

The resolution was seconded by Prof. Henry Drisler, LL. D. with remarks, and was adopted unanimously.

[Extract from the Minutes.]

[Signed] ANDREW WARNER,

Recording Secretary.

Officers of the Society, 1879.

PRESIDENT,

FREDERIC DE PEYSTER, LL.D., F.R.H.S.

FIRST VICE-PRESIDENT,

CHARLES O'CONOR.

SECOND VICE-PRESIDENT,

BENJAMIN H. FIELD.

FOREIGN CORRESPONDING SECRETARY,

ERASTUS C. BENEDICT, LL.D.

DOMESTIC CORRESPONDING SECRETARY,

EDWARD F. DE LANCEY.

RECORDING SECRETARY,

ANDREW WARNER.

TREASURER,

BENJAMIN B. SHERMAN.

LIBRARIAN,

JACOB B. MOORE.

Executive Committee.

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BENJAMIN H. FIELD, WILLIAM DOWD,
GEORGE H. MOORE, LL.D.

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SAMUEL OSGOOD, D.D., WILLIAM R. MARTIN,
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JACOB D. VERMILYE.

FOURTH CLASS—FOR FOUR YEARS, ENDING 1883.

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CHARLES P. KIRKLAND, LL.D., *Chairman.*
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[The President, Recording Secretary, Treasurer, and Librarian are members, *ex-officio*, of the Executive Committee.]

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ANDREW WARNER, *Secretary.*

[The President, Librarian, and Chairman of the Executive Committee are members, *ex-officio*, of the Committee on the Fine Arts.]

LIFE AND ADMINISTRATION

OF

RICHARD, EARL OF BELLOMONT.

THE subject which I have chosen for my Address, this evening, is a sketch of the Life and Administration of Richard, Earl of Bellomont, Governor of the Provinces of New York, Massachusetts and New Hampshire, under William the Third. As the time at my disposal is limited, I shall be able to refer only to the most important details of Governor Bellomont's administration, confining my remarks principally, if not wholly, to those bearing in an especial manner on the history of the Province of New York.

As the first actual friend of the people and sympathizer with honest democratic forms of government who administered the affairs of this Colony under the English crown, the Earl of Bellomont must ever have a strong claim to the respect and regard of the citizens of this State; and, as the unflinching foe of dishonesty in every form, an equally strong claim to the respect and regard of all impartial men.

In the first named particular, Bellomont was in complete accord with the great mass of the inhabitants, then chiefly Dutch, or of Dutch descent. He bravely and consistently defended the memory of their two leaders, Leisler and Milborne, who perished on the scaffold, victims to the implacable hatred of a small but powerful clique of persons whose only thought was profit and self-aggran-

dizement. He likewise insisted upon justice being done to the memory of these unfortunate men, and on the restitution of their property to their suffering families, although in so doing he knew that the hatred of those opposed to these proceedings would be transferred to himself.

A marked feature of Bellomont's career was that he disdained to increase his fortune by affiliation or collusion with public or private plunderers, although at that time no province under the English Crown offered more abundant or safer facilities for amassing great wealth than the Province of New York. His study of the affairs of the Province previous to coming thither, had tended to convince him that the so-called aristocratic party, here, that assumed to influence and direct the administration of the colonial government, was composed principally of persons whose conduct was selfish in the extreme, and who preyed on the Colony to the great detriment of its material prosperity and the peace and welfare of its inhabitants, openly in defiance of the law. His strong and ever present sense of duty would not allow him, once having assumed office, to neglect enforcing the Acts of Parliament bearing on the affairs of his government, even though some of them were obnoxious to the people; but he resolved to conciliate the loyal and well-disposed inhabitants by a determined opposition to wrong-doing in every form.

The life of such a personage cannot be devoid of interest to the general public, and must afford many valuable lessons to the thoughtful student of history. It is additionally interesting from the fact that it is more or less intimately connected with events that have stamped themselves indelibly upon the pages of history. The greatest among these was the English Revolution, which, by forcing the abdication of James II, and raising to the English throne the sagacious, brave and patriotic William, Prince of Orange, "dispelled all the mysteries of kingcraft and priestcraft, and settled monarchy on its only true basis, the rights of the people." *

* Note to Williams's edition of Blackstone's *Commentaries*.

As we are often enabled to gain a clearer insight to the character of a man by a knowledge of his family history and descent, I shall begin this Address by presenting a brief genealogy of Governor Bellomont, and saying a few words about the Coote family, of which he was a distinguished representative.

According to the records of the British Peerage, the family of Coote is of very ancient date, being able to trace its lineage back to Sir John Coote, a native and knight of France, who flourished, it is supposed, sometime in the eleventh century. This Sir John married the daughter and heiress of the Lord of Boys in the same kingdom, and had issue a son, likewise Sir John, who came over to England, and settled in Devonshire, where he married the daughter of Sir John Fortescue of that county. The descendants of this union contracted alliances with other families of wealth and position in England; and from this source are sprung the several distinguished families of later times bearing the name of Coote.

In the reign of Queen Elizabeth the immediate ancestor of Lord Bellomont was Francis Coote, Esq., who was in the service of the Queen. His son, Sir Nicholas Coote, was living in the year 1636. Sir Nicholas had issue two sons; the elder son, Charles, his heir, the grandfather of the Earl of Bellomont, entered the service of his country as a soldier, and, as Captain of "one hundred foot," served in Ireland in the wars against O'Neil, Earl of Tyrone. He subsequently became Provost Marshal of Connaught, and later, Vice-President of the same Province; and in 1621, having recently been sworn of the Privy Council, he was created a baronet of Ireland, by Letters Patent dated April 2d in the same year. Some years previous to receiving this last honor, Sir Charles married "Dorothea, the younger daughter and co-heir of Hugh Cuffe, Esq., of Cuffe's Woods, County Cork, Ireland, and had issue three sons, Charles, Chidley, and Richard."* Upon the breaking out of the Irish Rebellion, in 1641, he again entered the field, this time at the head

* Burke's *Extinct and Dormant Peerages of Great Britain and Ireland.*

of one thousand men. Although he rendered himself peculiarly obnoxious to the inhabitants "by his sanguinary speeches at the council board and massacres throughout the country,"* and won a most unenviable reputation by the excessive severity and harshness with which he conducted his campaigns against the Irish, he was acknowledged to be a most successful military chief. One of his most notable military successes, was the surprising passage of Montrath Woods. In this daring exploit he advanced to the relief of the Castle of Birr at the head of thirty dismounted dragoons, beat off the enemy with the loss of their leader and forty men, and after spending forty-eight hours in the saddle, returned to camp without having lost a single man.† About a year later he lost his life in a sally from the town of Trim. At his death, his eldest son Charles, who held the office of Provost Marshal of Connaught—to which he had been appointed on the promotion of his father to the Presidency—succeeded to the title of Baronet. In 1645, the civil war being then at its height, he was made Lord President of Connaught, and during the ensuing ten or twelve years was actively engaged in warlike operations in various parts of Ireland. He was a staunch adherent of the "Republicans," and received many distinguished marks of favor from Parliament. His principles, however, seem to have been somewhat elastic, for when, on the death of Cromwell, public agitation began to shape itself in favor of the Restoration, he was one of the first among the parliamentary leaders who fell in with the current of popular opinion. Acting simultaneously with several other prominent parliamentarians, who from various motives now declared for Charles II, he made himself master of Galway and Athlone, and soon after took possession of Dublin Castle.

A Convention favorable to the Restoration was assembled in Dublin, and continued its session in defiance of the orders of the English Council of State. The declaration of Charles II, at Breda, being presented to the Convention, was accepted by acclamation;

* *Encyclopædia Americana.*

† Burke's *Extinct and Dormant Peerages of Great Britain and Ireland.*

and, amid great rejoicings, the King was proclaimed in all the large towns throughout Ireland. "Thus," to use the language of an impartial writer, "the restoration of the son in Ireland, was effected by the same persons who had been mainly instrumental in bringing his father to the block." *

While these events were progressing, Sir Charles Coote despatched a trusty messenger to the Marquess of Ormonde at Brussels, requesting that His Majesty be informed of his affection and duty, and declaring that the whole kingdom of Ireland was ready to receive him. The King, who knew the strength of Sir Charles and the importance of his support, received this declaration with great satisfaction; and in return for his loyalty promised him an earldom, and a high military command. After the Restoration, the King, who, whatever were his faults, was not unfaithful to his friends, confirmed Sir Charles in his post of Lord President of Connaught, appointed him Keeper of the Castle of Athlone, granted him various important immunities, and raised him to the peerage of Ireland, under the title of the Earl of Montrath, by Letters Patent dated the 6th of September, 1660; this title being chosen in commemoration of the famous exploit of his father, previously referred to. The favor of the King did not however confine itself to Sir Charles; on the same day that the latter was created an Earl, his brother Richard, who had likewise been active in promoting the Restoration, was raised to the peerage, as Baron Coote of Colooney, County Sligo, Ireland.

Some twenty-five or thirty years previous to his elevation to the peerage, Richard Coote married Mary, the second daughter of Sir George St. George, Baronet, of Carrickdrumruske, County Leitrim, Ireland. From this union there were four children, Charles, Richard, Chidley, and Thomas. The first named died in infancy. The father, Lord Coote, died on the 10th of July, 1683. At his death, Richard, his eldest surviving son, inherited the title.

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* Ree's *Encyclopædia.*

Richard, the second Baron Coote (afterwards Earl of Bellomont), was born in 1636. Of his career during the early years of his life, very little is recorded. The first mention of him in history is as a member of Parliament for Dwitwich, England, a place long celebrated for its famous salt springs, and supposed to have been the Salinæ of the Romans; and he appears to have represented this borough several years.

The restoration of the Stuarts, although welcomed by the people as a guaranty of peace, stamped the democratic revolution in England as a failure, but this failure did not kill the principles involved. The doctrine of passive obedience to the will of the sovereign, zealously upheld by the great reformers—Luther, Cramner, Ridley, and Latimer—had received a severe blow; and the right of resistance, inculcated by Calvin and Knox, had been too successfully tested to be forgotten. Republican principles, the inevitable outgrowth of this latter doctrine, which contained the germs of political freedom, were but temporarily stifled, and from motives of policy rather than fear, lay dormant during the reign of the second Charles. These principles, it is true, were cherished only by the thoughtful few; but firmly rooted in their minds, were destined to bear golden fruit ere the close of the century. Augmented by a fear, if not detestation of Catholicism, they first showed themselves in the English Commons, which, on three consecutive occasions, passed the bill excluding the Duke of York, recently converted to that faith, from the succession to the throne. This bill, it is almost needless to say, was defeated by the action of the Lords and the King. Even the people were not yet ready for so violent a measure; and on the death of Charles, no opposition was shown by them to the succession of his brother James.

As on the occasion of Charles II coming to the throne, so on the accession of James, the nation "wearied with plots and cabals," and heartily disgusted with the constant agitations and fears to which it had been made a prey during the preceding reign, "had run into the extreme of loyalty and subservience." The King's will again became the indisputed law, and by new enactments of

the Parliament the King's Council was vested with almost despotic power. Large revenues were accorded the sovereign, who was thus entirely relieved from that galling dependence on Parliament which had so effectively held his predecessor in check. Peaceful relations with Holland were entered upon with great earnestness by James, and many acts of kindness and attention were shown by him to his son-in-law, the Stadtholder.

The speedy suppression of the insurrection headed by the Duke of Monmouth, natural son of Charles II, served to strengthen and confirm the power of James. But he was foolish enough to use his opportunities to effect his own ruin. Taking advantage of the excitement attending the rebellion, he instituted measures having for their object the restoration of the Catholic religion and the establishment of a standing army. The fears of the nation—who was devoted to Protestantism—were excited, and decided opposition was awakened. These fears were still further increased by the revocation of the Edict of Nantes, by Louis XIV; and the members of the Reformed Church throughout Europe shared the alarm of the English people. French persecution drove hundreds of Protestants to England for safety, and this leaven, operating upon the agitated nation, hastened the development of the crisis, that three years later was to force the King to abandon his throne.

Despite the growing distrust of the King by the nation, James maintained the most friendly relations with the Stadtholder of Holland; he declared he was not in sympathy with Louis in his harsh measures against the French Protestants, and asserted that the measures he had himself instituted in England, had no other object than the vindication of his royal prerogatives, and were intended as much for the benefit and security of his successor as for himself.

The nobility of England, in unison on the subject of the protection of their rights against all encroachments, were divided into two great parties. The Tories in accord with the Spiritual Lords may be termed the party of "divine right." The Whigs, more liberal, opposed principally the encroachments of the sovereign;

they accepted the spirit of the age, and may be termed the party of "progress." The conduct of James, who evidently no longer pretended to govern by the laws of the land, but according to his own will and pleasure, was well calculated to excite the fears of both parties. When, however, it became "manifest that nothing short of the overthrow of the Protestant Church was his ultimate design," the indignation of both Tories and Whigs was aroused.

In the spring of 1688, James gave mortal offence to the clergy of the established Church by his second declaration of liberty of conscience. The doctrine of passive obedience having been found to work disadvantageously to the prospects of the Church, was no longer advocated by the bishops; and setting the example, in their own persons, of resistance to the royal order, seven of their number refused to promulgate this declaration. For this offence they were imprisoned, but on trial were acquitted, greatly to the joy of the nation. Protestants of all sects took alarm at the conduct of the King. The Presbyterians, compelled by the firmness evinced by the seven bishops of the Church of England to acknowledge that they were wrong in accusing that Church of a leaning towards Catholicism, joined with it in the struggle for the preservation of the State and the Protestant religion. To this large and important element were united all opposed to James, whatever their party or denomination.

Up to this time relief had been looked for by the Protestants only from the succession to the throne of their co-religionist, Mary, the elder daughter of James, and wife of Prince William of Orange, then Stadtholder of Holland. But even in this patient hope they seemed destined to disappointment, for, on the 10th of June, 1688, the King's second wife, Mary of Modena, like himself a Catholic, gave birth to a son. There were many who looked upon the new-born Prince of Wales as a supposititious child; and, as may be imagined, this belief, although without any other foundation than a deep-seated distrust of James, tended to increase the outcry against him.

Both parties of the aristocracy and all branches of the Protes-

tant church now concurred in the belief that nothing but revolution could save the religion and liberties of England: and in the husband of the Princess Mary was discerned one competent to act as the deliverer of the nation. Several English gentlemen betook themselves to Holland on various pretences, but really with the design of influencing the Prince of Orange to secure his wife's succession. Private negociations were also entered into with William, through Gilbert Burnet, afterward Bishop of Salisbury. A powerful reason urged why William should interest himself in the project, was that it promised protection to Holland by preventing the union or alliance between England and France which must follow the overthrow of the Church of England.* It was finally decided to invite William to come over to England; he demurred at first, but finally yielded, upon being assured that his wife had readily promised to surrender the supreme authority to him in the event of her reaching the throne.

Arrangements for the invasion of England were speedily perfected, and a succession of fortunate circumstances enabled William to land at Torbay, in the south of England, on the 5th day of November, 1688.† Englishmen of rank and influence now hastened to join him, and his march to London was one continuous ovation.

At the time of the accession of James II to the throne, Lord Coote quitted England for the Continent, where he remained for several years. The important services rendered by his family to Charles II, made him well known at court, and his prolonged absence was remarked. Displeased and possibly disturbed by it, for the King knew that he was a staunch protestant, James issued an order on the 22d of November, 1687, peremptorily commanding his return under pain of proscription. Thus admonished, Lord Coote came back to England the same year, and the followiug year entered Parliament.

A prominent Whig, Lord Coote was one of the principal leaders in the movement to establish the Protestant succession;

* Trevor's *Life of William III.*

† *Clavis Calendaria.* Vol. II, p. 229.

and when it became known that the Prince of Orange had accepted the invitation of the bishops and nobles to come into England, he was among the first who hastened to welcome him. Willliam received him cordially, and immediately appointed him to a position near his person. A few weeks after William and Mary were seated on the throne, he was appointed Treasurer and Receiver General to the Queen. Pleasing in person and manner, sensible and honest, he became a warm personal friend of the King. In consequence he incurred the severe displeasure of James, now a fugitive in Ireland, and on the assembling of the Jacobite Parliament at Dublin, he was attainted. Being an Irish peer this was a serious matter, as it involved the confiscation of whatever property he possessed in Ireland. On the other hand, this mark of the fallen monarch's displeasure served to increase the regard in which he was held by William; and in evidence of this he was created Earl of Bellomont, by Royal Letters issued on the 2d of November, 1689; he also received other and more substantial marks of the royal favor.

Early in the year 1695, William thought fit to name the Earl of Bellomont to be Governor of New York. At this period affairs in the American colonies were in a most unsatisfactory condition to the English government. The alarming increase of piracy, which threatened to drive all commerce from the seas, and an "unlawful trade in fraud of the acts of Navigation and Plantations, infinitely prejudicial to England," were two of the most serious evils, and called for immediate repression. The presence at New York, "a place remarkably infected with those two dangerous diseases," of a Governor of an unusually strong will and honesty of character, was imperatively demanded. In this emergency the King settled upon his trusted friend Bellomont, who more than any one about him he felt confident possessed the necessary requisites for filling this important position. In notifying Bellomont of his appointment, William remarked that "he thought him a Man of Resolution and Integrity, and with those qualifications more likely than any other he could think of to put a stop to that illegal Trade, and to the growth of Piracy; for which reason he made choice of

him for that Government, and for the same reason intended to put the Government of *New England* into his hands."

To appreciate fully the true condition of the Northern American colonies at the time of Bellomont's appointment—which is desirable in order to comprehend correctly the magnitude of the task entrusted to him—it is necessary to glance at the causes that during the preceding fifty years or more had been actively at work in developing this condition.

Towards the middle of the seventeenth century, the intolerance and covetousness of the Puritan settlers in America had nearly cost Holland her colony on the Hudson River, Cromwell having been induced, through the representations of the aggressive New Englanders, to take steps to conquer New Netherland. Although the Treaty of 1653 interfered with this project—the Protector in this Treaty admitting the territorial rights of the Dutch—it did so for a short time only. When Charles II was restored to the English throne, the boundary lines between New England and New Netherland were still unsettled. In 1662, Connecticut secured a patent from the English government, conveying to it a large portion of the province occupied by the Dutch; and to enforce this unjust grant even went so far as to send troops to drive out the inhabitants and take possession.

The enmity to the Dutch was not, however, confined to the English in America. The British government, jealous of the commercial success of Holland, passed the most stringent laws prohibiting foreign vessels trading with the English colonies. These laws failed to produce the desired result in America, and finally it was determined to usurp New Netherland.

At the instigation of the Earl of Clarendon, then Prime Minister, Charles II, in 1664, granted to his brother James, the Duke of York, a large portion of American territory including New Netherland, to which, as is well known, he had not the faintest shadow of a rightful claim. At this time the Duke of York was Chief Director of the British East India Company, and

was desirous of pushing its interests against the rival Dutch Company; he was also Lord High Admiral of England, and as such had supreme command of the British Navy.

The unwearied industry and patient endurance of the Dutch had enabled them to gain possession of such an important foreign trade, that the English were obliged to bestir themselves in order to master this successful rivalry. Public sentiment in Great Britain had been assiduously worked up to a hatred of the Dutch, and at last Parliament prayed the King to take measures "to redress the wrongs done to His Majesty by the subjects of the United Provinces." * Here was an opportunity for the young and ambitious Duke of York. War seemed imminent; but without waiting for the storm to burst, James who found his arbitrary measures in pushing the interests of the English Company "twarted by vessels of war belonging to the Dutch Republic, secretly despatched a squadron under Sir Robert Holmes, to make reprisals on the Hollanders, who had, he believed, broken the treaty they had entered into with the English." † Holmes proceeded directly to Africa, and after some success against the Dutch settlements on the coast, returned to England. Thence with a fleet consisting of four vessels of war, having on board the Commissioners appointed by the Duke of York under authority of the Privy Council, and a force of four hundred and fifty soldiers, he sailed to North America, leaving Portsmouth, England, early in May, 1664; and arrived at Boston, "after a tedious voyage of ten weeks."‡ By the middle of August, the English, in imposing force, presented themselves before New Amsterdam. It was madness for the Dutch inhabitants to think of defending the city, as the Fort had been constructed solely with a view to protecting them from an inland attack, and was useless against ships of war. Besides this, the Dutch fleet was absent from the North American waters, and its succor could not be expected. The regular attacking force of English, which alone

* Davies' *Hist. of Holland.*

† Cust's *Lives of the Warriors.* Vol. II, p. 482.

‡ Brodhead's *Commemorative Address*, p. 26.

outnumbered the Dutch garrison, was largely increased by auxiliaries from Connecticut and the eastern end of Long Island, a number of whom were savages.*

The brave old Stuyvesant mustered his small force, and prepared for the defence; but the people of the city, more prudent though no less brave, finally persuaded him that it was his duty to surrender, and the veteran was forced to yield, although he sorrowfully declared he "had much rather be carried out dead."†

Colonel Richard Nicolls, who was the Duke's companion in exile, and had come over in the expedition commanded by Sir Robert Holmes and Sir Robert Carr, as Deputy Governor of the new Province, now assumed the administration of affairs: he re-named the city "New York," in honor of his royal master, and later, having subjected Fort Orange, up the Hudson, gave to that place the name of "Albany," after a Scotch title of James.

It is unnecessary here to enter into details regarding the rule of the Duke of York in the newly acquired province. Towards the close of the year 1664, the City of New York was incorporated. The Governor and Council exercised almost despotic sway throughout the province, the inhabitants of which had nothing approximating even to political liberty. Harshness was the rule of the administration, and grinding taxation the method resorted to to enslave the people.

In 1672 the States of Holland and Zealand raised William, Prince of Orange, to the office of Stadtholder. Louis XIV now sought to inflame the ambition of William by offering to make him sovereign of the United Provinces under French and English protection; but the latter was proof against these offers; and to the remarks of the English ambassadors, that if he rejected them he would behold the ruin of his country, he replied: "I have

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* James W. Gerard.

† Dunlap's *Hist. of the New Netherlands, Province of New York and State of New York, to the adoption of the Federal Constitution.*

thought of a means to avoid beholding the ruin of my country to die in the last ditch." *

At length Charles II, urged on by the King of France, opened hostilities against the Dutch. The opportunity now presenting itself to reconquer New Netherland, which had been so unjustly seized by the English, in 1664, the Dutch despatched a squadron of five war ships, under the brave commodores Benkes and Evertsen, to New York. On arriving in the bay, Benkes and Evertsen sent a formal demand for the surrender of the city; and on the 30th of July, Captain Manning, in command of the English garrison of the Fort, surrendered to the Dutch fleet without striking a blow. Having taken possession the conquerers changed the name of the city to "New Orange," and appointed Captain Anthony Colve—who came over with the expedition—Governor. The greater part of the population being Dutch, the new *régime* was heartily welcomed; and the officers and magistrates of the Province willingly took the oath of allegiance to the States General and the Prince of Orange.

The wonderful successes of the intrepid Dutch admirals, De Ruyter and Tromp, eventually compelled the English to withdraw their fleets from the coast of Holland, where they seemed to obtain the least permanent advantage; and as they retreated, the courageous Dutch went so far as to follow in pursuit. The people of England were maddened by these inglorious proceedings, and a strong feeling grew up against the French alliance, it being openly asserted that Louis was using the English for the gratification of his own ambitious designs. Another circumstance that greatly influenced public opinion in favor of peace, was the frightful ravages made by the privateers of Zealand upon the English merchant marine. Added to this, Spain and Norway, taking alarm at the plan of conquest pursued by the French monarch, assumed a threatening attitude. Ever zealous of their commercial prosperity, and foreseeing that in the event of a war with these powers, their

* Davies *History of Holland.*

trade must inevitably be transferred to the United Provinces, the people of England became so strongly opposed to the continuance of hostilities, that Parliament refused to vote further supplies, complained of the French alliance, and advised peace.

Charles II reluctantly yielded to the suggestions of Parliament, and calling Sir William Temple from his retirement, deputed him to arrange a treaty of peace with the Marquis del Fresno, the Spanish ambassador, who had been empowered by the States to act in their name. The treaty was signed at Westminster, on the 9th of February, 1674, and was considered by the Dutch greatly to their advantage, despite the fact that it cost them a war indemnity to England of two million guilders, and all the British territory they had conquered during hostilities. New York thus fell back under the English flag, and passed again into the possession of the Duke of York. On the 31st of October, 1674, Governor Colve formally resigned the Territory to "Edmund Andross, Seigneur of Saumarez," who had been appointed Governor.

A circumstance occurred during the first year of the reoccupation of New York by the English, which though slight in itself, was in some degree the precursor of the important though unhappy events that took place about fifteen years later, the settlement of the animosities growing out of which, formed so difficult a part of the labors of the administration of the Earl of Bellomont. This circumstance arose from the Duke of York recommending the Rev. Nicholas Van Rensaellaer "to be Minister of one of the Dutch churches in New York or New Albany when a vacancy shall happen."* Mr. Van Rensaellaer, it seems, chose a church in Albany, and went thither to assume his duties. At the same time he laid claim to a large tract of land extending "twenty-four miles upon Hudson's River and as many on each side."† He was unsuccessful in making good his claim to this land, being defeated in the courts by Kilian Van Rensaellaer. The congregation of the Dutch church at Albany refused to receive him as their minister

* Duke of York to Governor Andros, 23 July, 1674.

† *History of New York*, by Chief Justice Smith.

on the ground that he was ordained to the ministry of the Episcopal Church; and as Mr. Van Rensaellaer persisted in his claims and assumptions, they put forward their pastor, Dominie Niewenhuyt, as their champion. Governor Andros, of course, as in duty bound, supported the claims of the clergyman recommended by his master, and Dominie Niewenhuyt was subjected to great annoyance by being obliged to make frequent visits to New York to confer with the authorities. The magistrates and the people of Albany sympathized warmly with Niewenhuyt, and went so far as to imprison Van Rensaellaer, for "dubious words" uttered in one of his sermons. By order of Andros, however, he was released, and a suit for false imprisonment was brought against the magistrates who had been concerned in his arrest, they being held in £5000 bail. One of these magistrates, named Jacob Leisler, more bold than the rest, refused to give bail, and in consequence was imprisoned. But the people of Albany persisted in upholding the action of their magistrates, and finally the suit was abandoned.

This successful protest of the Dutch Protestants against the policy of the Duke of York, doubtless prompted the inhabitants of the Province to the steps which resulted in the establishment of the provisional government under Leisler, in 1689-90.

The prominence subsequently gained by Leisler in the affairs of the Province, warrants a reference to his career, which I venture to present in a few words.

On the 27th of April, 1660, the ship "Otter" left Holland for New Netherland, having on board some fifty passengers, sixteen of whom were soldiers in the service of the Dutch West India Company. One of these soldiers was a young German named Jacob Loyseler or Leisler, who was registered as from "Francfort."* The inducements to engage in trade at that early period were peculiarly tempting to young men of energy and ambition; and yielding to them, Leisler ere long gave up his military career and entered the employment of Pieter Cornelisen Vanderveen, a pros-

* *Documentary Hist. of N. Y.* Vol. III, p. 57.

perous Dutch merchant of that day, who was the principal projector of the first three-masted vessel known to have been built in the Colony.

The death of Vanderveen took place in 1661, and his large estate passed into the hands of his young and childless widow, who was the daughter of Govert Loockermans, a wealthy fur-trader and shipowner, who came to this colony in 1633. Elsie Tymen Vanderveen was born in Hanover Square, her father at the time residing in and owning one of the handsomest and best houses in the city. On the death of her husband she continued his business, as was the custom of the day, and Leisler, who had now risen to a responsible position in Vanderveen's store, was entrusted with the management of affairs. Finally, an attachment having sprung up between the comely young widow and the soldierly young clerk, they were married, Leisler thus becoming a wealthy merchant. He appears to have been a person of more than ordinary consideration in the Colony from a very early period. In 1674, during the administration of Governor Colve, he was appointed one of the Commissioners for the forced loan; and in Governor Dongan's time was one of the Commissioners of a Court of Admiralty. Several years latter he purchased for the Huguenots the tract called New Rochelle. During a voyage to Europe, in 1678, he had the misfortune to be captured by the Turks, but obtained his release by the payment of some two thousand "pièces of eight," at five shillings each.

We have just seen that he was once a magistrate of Albany, and prominently connected with the Dutch Church in that city. At a later period he was a resident of New York; and at the breaking out of the revolution, in 1689, commanded one of the local militia companies. Few residents of the city were more popular, and it was to him the people looked for leadership when they rose to hold the Province for the officers of William III.

As shown by the baptismal records, Leisler had seven children. The eldest of these, Mary, became the wife of Jacob Milborne, who was associated with Leisler in the provisional government of New York, in 1689–91, and who finally perished with him on the

scaffold. The third child, Jacob Leisler, Jr., distinguished himself by his persistent and successful endeavors to secure the reversal of the decree of attainder on his father and brother-in-law; and notwithstanding his youth, was an important figure in the affairs of the Colony in his day.

When the Duke of York came to the throne, his interest in the Province of New York suffered no diminution, although the welfare of the Province can hardly be said to have been advanced thereby. One of his first acts was to disapprove of the Charter of Privileges which he had granted shortly before, but which he now refused to confirm, deeming its provisions too liberal, and fearing they might curtail some of his own rights. One beneficent measure, however, did receive his sanction. This was the granting to the City of New York, in 1686, of the "Dongan Charter," so-called from the fact that it was obtained mainly through the influence of Governor Dongan.

The alarm caused throughout Europe by the Revocation of the Edict of Nantes in 1685, eventually spread to America. In New York, fears were entertained that the Catholic King of England, who seemed to be quietly instituting measures for the revival of Catholicity at home, would possibly instruct Governor Dongan, likewise a Catholic, to establish that religion in the Province over which he governed. A further cause for dissatisfaction in New York was afforded by the consolidation of all the English Provinces north of the fortieth degrée of latitude (with the exception of Pennsylvania) under one government. This measure was resolved on by James, chiefly as an effective means to check the growing influence of New France (as Canada was then called), which was regarded with extreme jealousy by the English.

This compulsory union of New York and Massachusetts under one governor, was extremely distasteful to the Dutch inhabitants of the former Province, between whom and the people of New England there had always existed a somewhat serious rivalry. As Protestants, however, their angry feelings were somewhat mollified by the appointment of Sir Edmund Andros—a member of the

Church of England—to administer the government of the united provinces.

The continued efforts of James to force the Catholic faith upon the English people, culminated, as is well known, in the Revolution 1688-9, which led to his abdication and the election of William and Mary as his successors.

On the accession of the Prince of Orange to the throne, the Protestants in New York and New England, comprising nearly the entire population, were greatly alarmed lest the officers holding their commissions from James, and the adherents of that monarch in gereral might attempt to maintain his authority in the American colonies, to the exclusion of that of the newly elected sovereigns. To anticipate any action towards such a design, and for the purpose of holding the colonies in safety until the arrival of the properly accredited officers from King William, a popular uprising took place. In New England a Committee of Safety was organized, and under its order Sir Edmund Andros, the Governor of the Colony, whose headquarters were at Boston, was seized and imprisoned. In New York, where the great body of the people were Dutch, the elevation of a Dutch prince to the English throne was hailed with undisguised delight. Moreover, being heartily sick of the continued outrages perpetrated upon them during the administrations of the English Governors, who had little regard for their rights, they naturally looked upon their countryman, Prince William, as their heaven-sent deliverer.

Without the shedding of a drop of blood, the City of New York was placed in the hands of the militia. The Captains commanding the several companies, were fortunately men of wealth, character and influence, and so controlled the people that no overt acts were committed. Lieutenant-Governor Nicholson, who resided in New York, finding himself powerless to maintain his authority, left the nominal administration of affairs in the hands of his Councillors, Philipse, Van Cortlandt and Bayard, and sailed for England.

Before his departure, however, the militia had made themselves masters of the Fort. Having gone thus far, the need of a

leader became apparent. The militia and the people in general, unanimously settled on Captain Jacob Leisler as the person for this position; and, in accordance with their desires, he assumed the leadership. Almost his first act was to call a convention of citizens, which met on the 26th of June, 1689. This body was composed of men of representative character, a number of whom were residents of the neighboring towns. A Committee of Safety was organized, which appointed Leisler "Captain of the Fort," and subsequently "Lieutenant-Governor and Commander-in-Chief of the Province."

It is needless to add that Leisler was immensely popular, and that this popularity greatly simplified his early labors. The Dutch residents of the Province had the greatest confidence in his abilities, and had little if any fault to find with the measures he adopted. On the other hand, he was an object of hatred to the officers of James, and to their aristocratic English and Dutch friends.

Leisler called to his assistance in the provisional government an old friend and former business associate named Jacob Milborne, whom he appointed Secretary of the Province. These two persons, aided by a Council, administered the government of the Province about two years; and the impartial historian must admit that whatever faults may be ascribed to them, disloyalty to King William was not among the number.

In the early part of the spring of 1691, Colonel Sloughter, who had been commissioned Governor of New York, in January, 1690, arrived at his post. He immediately published his Commission, and sent a command to Leisler to deliver up the Fort. This order reached Leisler several hours after sundown, but regarding it as a violation of military rule to give up a fortified place during the night, he refused compliance. The next morning, however, he sent a letter to the new Governor, formally relinquishing the Fort. Colonel Sloughter was deeply angered at this delay, and gave orders for the immediate arrest of Leisler and his principal followers. Their trial speedily followed, and as they were found guilty of treason, sentence of death was passed upon them. An

appeal from this verdict and sentence was sent to the King, but before a reply could reach New York, Sloughter was prevailed on to sign the death-warrants of Leisler and Milborne, and they were accordingly publicly executed on the 17th day of May, 1691.

Governor Sloughter did not long survive this political tragedy. He was taken suddenly ill on the 21st of July following, and died on the 23d.

Sloughter was succeeded by Colonel Benjamin Fletcher, under whom the affairs of the Province became still more perplexing to the Home Government. The ill-feeling between the Dutch and English residents, always more or less bitter, was intensified by the execution of Leisler and Milborne, who were now quite generally regarded as heroes and martyrs. Strong efforts were made to have justice done to the memory of the unfortunate men, and to cause the restoration to their families of their confiscated property; and for this purpose Jacob Leisler, Jr., the promising son of the executed Lieutenant-Governor, was sent to England to endeavor to influence the Home Government. Another cause of trouble was persistent violation of the Acts of Trade, which, though secretly and quite successfully evaded in the neighboring provinces, were disregarded almost openly and without scruple, by the Dutch in New York. The consequence was a serious falling off in the revenue—a most unpalatable fact for the Lords of Trade.

But the most alarming evil, was the aid and comfort afforded to pirates by many of the well-to-do citizens of New York, and connived at, it was said, even by the officers of the Colonial government.

The origin of piracy dates back to the dawn of commercial enterprise. In the century preceding the Christian era, the evil had attained the most gigantic proportions. The freebooters were masters of four hundred cities, and had at their command a thousand well-manned galleys. So boldly, successfully, and extensively did they carry out their depredations, that the prosperity of imperial Rome became seriously jeopardized. The extirpation of this monstrous evil became an urgent necessity, and to no less a personage

than the great Pompey was entrusted the task. Armed with almost absolute authority in the Mediterranean, and with a large army and powerful fleet at his command, he eventually succeeded in accomplishing this important labor. This blow may be said to have almost paralyzed piracy for about fourteen centuries. The growth of trade with the East and West Indies consequent on the brilliant discoveries of the daring navigators Colombus, Diaz, and de Gama, in the fifteenth and sixteenth centuries, again awakened the cupidity of evil men, and piracy was revived and prosecuted as a "royal road" to fortune. In the seventeenth century, its magnitude and extent excited the gravest alarm throughout the commercial world. The practice of issuing commissions to private vessels of war was common among the nations of Europe in this century. The commanders of these "privateers" were not, however, overscrupulous in their regard for the rights of commerce; and although for a time they generally limited their depredations to the merchantships of the enemy, they soon came to regard all vessels engaged in commerce as their legitimate prey.

During the progress of hostilities with France, England had not hesitated to follow the example of other nations in granting commissions to private vessels of war. The commanders of many of these "privateers" encouraged by the success which attended the reckless and daring men who, acknowledging allegiance to no flag, preyed indiscriminately on all commerce; and observing the singular immunity from interference and punishment which they enjoyed, concluded to follow their example. Breaking away from the restraint of their commissions, they now waged war on all vessels that promised booty, not even exempting those sailing under the flag of their own country.

The effect upon commerce of this course, which so largely increased the number of freebooters, and covered the high seas with piratical craft, was most disastrous: trade in both hemispheres was almost paralyzed; and England, ever a trading nation, was threatened whith the loss of that which has been aptly compared to her life-blood. This alarming state of affairs became still worse

from a threat of reprisals made by the Grand Mogul, who had lost, through the depredations of English pirates, several richly laden vessels, among them one in particular freighted with valuable presents for the holy city—Mecca.

The American colonies were a favorite resort for the English pirates for several reasons, but principally owing to the sense of security enjoyed, and the ease with which provisions were obtained. It was well-known that several of the most notorious pirates had originally sailed from New York with commissions as privateers; and it was even rumored that the officers of the Crown had connived at piracy. It is evident that in those days the people of the Colonies felt no very great antagonism to either pirates or piracy. Many of the freebooters plundered in foreign parts, and their victims were frequently infidel Moors, or hated French, Spanish, or Portuguese traders. The advantages derived from a connection with these ocean plunderers were almost too great to be despised; wherever the freebooters touched, from Maine to Virginia, they were generally sure of being tolerated—at least till they had disposed of some of their plunder and obtained supplies. In commercial New York, their foreign gold was ever welcome. But, large as was the supply, it did not suffice. More than one of the wealthy merchants of the city freighted vessels with rum, tobacco, and munitions of war, and despatched them to the haunts of the pirates, where these commodities readily sold at an enormous profit. This was not all. Many of the pirates at the places visited, having acquired sufficient wealth to meet their desires, abandoned their bloody pursuit and returned to civilization in the homeward-bound merchant vessels, paying round sums for their passages.

The looseness of morals in this respect in the American colonies —and particularly in New York—at last aroused attention in England, and the government resolved to take some decisive action against the growing evil. At this time the Leislerites in England—among whom was Jacob Leisler, Jr., the son of the executed Governor—were making strong efforts to secure the removal of Governor Fletcher, whose close affiliation with and willing subservience to

the aristocratic party in New York, seriously retarded the attempts of the friends of Leisler and Milborne to secure justice to the memory of these political martyrs, or to obtain for their families the restitution of their confiscated property. They had already failed in their attempt to secure Fletcher's removal on charges of misappropriation of the public money and general malfeasance in office, but these charges had not been treated seriously by the Lords of Trade, in whose mind the valuable services rendered by Fletcher in the war with the French in Canada, were still fresh.

Availing themselves of the public sentiment against freebooting, the Leislerites now accused Fletcher of complicity with pirates. All that they urged against him seemed to have a strong basis in fact, and it was finally decided by the authorities that the interests of the public service demanded his recall.

Never was the need for an honest and able person to administer the government of New York greater than at that period. The tasks which such a person would be called upon to perform were those which demanded uncommon ability as well as unquestioned integrity. The differences between the two factions of the Province required to be healed. The Acts of Trade were to be rigidly enforced. Piracy was to be suppressed. Besides these labors the Indians were to be conciliated and the French watched.

The King fully realized the importance of the trust and finally decided to appoint in the place of Fletcher, the Earl of Bellomont, whom, as I have stated, he regarded as the fittest person about him for undertaking such responsible duties. In 1695 he indicated his choice to the Lords of Trade, who, without delay, confirmed Bellomont. The several commissions and instructions were, however, not laid before the King until the early part of April, 1697. On the 18th day of June following, having been duly approved, they were sealed with the great seal. On the 1st of July, in the same year, Captain John Nanfan—a cousin of the wife of the Earl of Bellomont—was appointed Lieutenant-Governor.

No sooner was it known that the Earl of Bellomont had been appointed to this important post, than his house in Dover street,

London, was besieged by all those who had interests to conserve in New York. Among the number was "Colonel Robert Livingston, a Man of considerable Estate and fair Reputation who has several Employments in that Province;"* he had frequent access to the Earl "as well upon the account of the publick affairs there as of several matters which he had then depending before the Council and at the Treasury."†

In conversation with Colonel Livingston, the Earl mentioned piracy, which he regretted had received such encouragement in New York. Livingston assured him that there was good ground for complaint on this score; and gave it as his opinion that if effectual measnres for the suppression of this nefarious business were not promptly instituted, the evil would increase to such a degree and involve so many persons, that its mastery would be difficult if not impossible.

At a subsequent interview with the Earl, Livingston spoke of a Captain William Kidd, "lately come from New York in a sloop of his own upon the account of trade,"‡ and recommended him to the Earl as a bold, honest, and skilful mariner, who "knew most of the men who had been abroad Roving, and divers who had lately gone out; and likewise had some knowledge of places where they usually made their Rendez-vous;"§ he also said that he believed Kidd would undertake to seize these freebooters if placed in command of one of the King's ships of war.

It was not at all improbable that an experienced and daring commander such as was Kidd, "well acquainted with all the haunts of the pirates who prowled between the Cape of Good Hope and the Straits of Malacca"‖ would be able to cope successfully with the pirates of the Indian Ocean. It was known that few of the piratical craft were large, and that the pirates were not in the habit of uniting for common defence. Bellomont was not slow to perceive the advantages of such an expedition. The suppression of piracy in the Eastern seas would greatly simplify the task of breaking

* Kidd, † Kidd. ‡ Kidd. § Kidd.
‖ Macaulay's *Hist. of England.*

it up in the American Colonies, whither the freebooters oftener resorted to dispose of than to secure plunder. He accordingly lost no time in laying the project before the King.

Just at that time it happened that all the King's ships fit for service were employed in the war with France. There was also a marked scarcity of seamen, and to keep the navy fairly manned, required the employment of every imaginable means, including the constant use of the press-gang.

The King not feeling authorized to act on the suggestion of Bellomont, referred the project to the Admiralty, who received it lukewarmly and "raised difficulties," to quote the expressive language of Macaulay, "such as are perpetually raised by public boards when any deviation for the better or for the worse from the established course of proceeding is proposed." * The fact that the carrying out of the scheme would necessitate the expenditure of a large sum of money, was, however, the chief reason for its being finally rejected.

On learning that the Admiralty would not touch the project, Livingston, who seemed determined to carry it into effect, made a second proposition to Bellomont. This was that a private vessel of war should be fitted out and duly licensed and commissioned to proceed against the French and the pirates. According to the testimony of Bishop Burnet, the King looked with favor on this second project, the carrying out of which it was estimated would cost about £6000, and signified his willingness to subscribe one third of the sum. Captain Kidd had meanwhile been presented to the Earl by Livingston. There is some authority for the belief that Kidd was coerced by threats into accepting the command of the proposed expedition, but the weight of testimony goes to show that Kidd not only freely lent his aid to the affair, but even joined with Livingston in subscribing one-fifth of the estimated cost.

At this juncture the King withdrew his offer on the ground of pecuniary embarrassment. Some delay ensued in consequence, but Bellomont finally succeeded in interesting his friends the Duke of

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* *Hist. of England.* Vol. V.

Shrewsbury, the Earl of Rumney, the Earl of Oxford Lord High Admiral of England, Lord Chancellor Somers, and Sir Edmond Harrison a wealthy merchant, who together aided him in making up his subscription to four-fifths, Livingston and Kidd, it being remembered, having already taken a fifth.

Macaulay states, in his *History of England*, that the negociations which resulted in the fitting out of this expedition, were conducted between Bellomont and his friends, after the former had reached America. This is clearly an error into which the eminent historian fell, from a belief that Bellomont must have proceeded to America as soon as he received his appointment as Governor of New York; when the facts are, that although named to the position early in 1695, he did not receive his commission until the summer of 1697, and did not arrive in New York until the spring of 1698.

On the 10th of October, 1695, articles of agreement were drawn up in London, between the Earl of Bellomont, Mr. Livingston, and Captain Kidd. Bellomont took it on himself to procure from the King or the Lords of the Admiralty, the necessary commissions empowering Kidd to act against all pirates. In the agreement it was stipulated that all prizes taken from the French should be disposed of in the usual way directed by law; but that all captures from pirates should be sold for the benefit of the owners and crew, twenty-five per cent. of the gross proceeds going to the crew in lieu of pay, the remaining seventy-five per cent. to be divided between Bellomont, Livingston, and Kidd, in proportion to their contributions.*

It is noteworthy that the names of the gentlemen who aided Bellomont in raising the amount of his subscription do not figure in the agreement; nor indeed do these gentlemen appear to have any knowledge of Kidd, nor interest in the undertaking, beyond their private and friendly aid to Bellomont. It is possible, though, that Bellomont may have promised to remunerate them by a share of the profits; in which case, the affair, to them, was a purely

* *Documents relating to the Colonial History of New York.* Vol. VI, p. 762.

speculative one; moreover, having the sanction of the King, it could not have appeared in the least degree objectionable or illegal.

Thus began that unfortunate connection between Bellomont and Kidd, which was destined to cast a temporary but deep shadow over the honest Earl, and to bring the adventurous Captain to an ignominious death upon the scaffold.

The name of Kidd has come down to us as that of a most villainous sea-robber, and is linked with harrowing tales of bloodshed and murder, and legends of untold wealth; and the reputed concealment by burial of much of this ill-gotten gain at various places along the Atlantic coast from Maine to Delaware, has for years dazzled the imaginations and depleted the purses of the credulous.

It is certain, however, that the epithet "Prince of Pirates," and others of similar character, so freely bestowed on Kidd, never rightfully belonged to him. His reputation among all but a few careful students of history is based mainly on the ballads—or confused recollections of them—which commemorate in most wretched rhyme his alleged misdeeds and exploits. But the ballads alone are not entirely responsible for the false ideas which came down to us in regard to him. At the time of his arrest, party feeling ran no less high and bitter than in our own day. The political enemies of the noblemen who were concerned in aiding Bellomont in fitting out the expedition commanded by Kidd, availed themselves of Kidd's misconduct, to assail all who lent him their support and countenance, seeking by this means to secure their downfall. In the prosecution of this design, Kidd's deeds, or rather misdeeds, were greatly magnified, often largely at the expense of truth.

An examination of the leading events in the life of Kidd, will convince the dispassionate enquirer, that he was not the evil and abandoned character he is so generally regarded; and as I feel that the citizens of this community, in which he was once a respected and representative resident, can not be indifferent to his history, I venture to present, in the briefest manner possible, a few of the leading facts therein.

Born in Scotland,* about the middle of the seventeenth century, William Kidd was the son of a clergyman—a fact which of itself would be sufficient to convince some wiseacres that he could come to no good end. His father, John Kidd, belonged to the Scottish Non-Conformists, and was a man of great piety and strong religious convictions, who testified his regard for principle by submitting to "the torture of the boot"—a most cruel ordeal—dying on the 14th of August, 1679. William Kidd adopted the sea at an early age, and while still a young man became shipmaster and noted as a bold and successful mariner. His trading ventures proving fortunate, he became a man of some wealth. He married Mrs. Sarah Oort (said to have been a lovely and accomplished woman), the widow of a former friend and fellow officer; and purchasing property in New York, established his residence in Cedar or Liberty street. In the French war he commanded a privateer, and distinguished himself in two engagements in the West Indies. At the time of the Leislerian troubles he naturally sided with the Officers of the Crown and the British residents; and, in the interests of the Province, kept his vessel in the Bay, in case it should be needed to defend the city against the French. For his services to the Province, the General Assembly of New York, on the recommendation of Governor Sloughter and Council, granted him, on the 14th of May, 1691, the sum of £150. After this, he commanded a ship in the merchant service; and as we have seen, quitted this employment to engage in the suppression of piracy.

The several subscribers to the enterprise projected by Livingston for the suppression of piracy, having paid in the sums agreed, a thirty-gun vessel called the "Adventure-galley" was purchased, and after some little difficulty manned and equipped. As the owner risked the vessel, and the crew their lives, in this venture, the projectors demanded of the government the proceeds arising from the sale of whatever was captured, with the exception of the tenth ordinarily reserved for the Crown from the sale of prizes taken

* *Documents relating to the Colonial History of New York.* Vol. IV, p. 583.

from the King's enemies; but it was not until the vessel had sailed, that they succeeded in obtaining such an unusual grant.

In the month of April, 1696, Kidd sailed from Plymouth, England, in the "Adventure-galley," with a crew variously estimated at from fifty to eighty men. Although his instructions were to proceed directly to the haunts of the pirates in the East Indies, he disregarded them and sailed for New York, arriving in this port in the month of July, bringing with him a French vessel which he had captured on the way and which on his arrival he duly delivered to Governor Fletcher. He remained in New York nearly three months, during which it seems he led a very dissolute life. It was rumored about the city that he intended to turn pirate, and that he had promised Governor Fletcher £10,000 if he made a good voyage. News of his arrival quickly spread itself over the Province, and many adventurous and desperate men flocked to him from all parts. Although no wages were offered, the agreement being that the men were to receive twenty-five per cent. of the profits to be divided among them, he easily recruited his crew up to about the number of one hundred and fifty.

According to Governor Fletcher it was generally believed in New York that if Kidd, acting in accordance with his commission and instructions, failed to make a profitable voyage, he would not be able to govern such a horde of men under no pay, who would then probably mutiny and compel him to turn pirate. *

With a complete and enthusiastic crew, a staunch vessel and suitable supplies and ammunition, Kidd sailed from New York for Madeira, arriving there in February, 1697. By the month of July he found himself at the entrance to the Red Sea; up to that time having made no capture with the exception of the French prize taken on his way to New York. The well-known and learned historical writer, Mr. Henry C. Murphy, in his exhaustive and interesting article on Kidd, published in Hunt's *Merchants' Magazine*, January, 1846, states that this voyage to Eastern waters

* Gov. Fletcher to the Lords of Trade. *Doc. relating to the Col. Hist. of N. Y.* Vol. IV, p. 275.

was "a plain departure from the objects of the expedition, which was publicly announced to be the destruction of pirates in the American seas, and especially at New York;" but I find that Bellomont himself expected that Kidd would avoid New York, and sail directly for the haunts of the freebooters in the Indian Ocean;* and indeed his acquaintance with the resorts of the pirates in those waters, was one of the chief reasons for his being selected to command the expedition.

We must now leave Kidd for a while to return to Bellomont. Delay in issuing his commission and the financial embarrassment of the Home Government, prevented the Earl's departure from England until towards the close of 1697. He was accompanied to America by his wife and by his Lieutenant-Governor, Captain John Nanfan. The voyage was an unsually stormy one, and the ship was compelled to put in at Barbadoes, arriving there on the 5th of January, 1698. More than two months were consumed at this place in repairing the vessel. By the 9th of March, the ship was refitted and sailed for New York, where she arrived safely on the 2d of April.

The reception accorded to Bellomont, by the people of all classes, was most cordial; crowds flocked to the landing place to greet him, and he was met everywhere with assurances of respect and good-will. Four barrels of gunpowder were burned by order of the City Government in honor of his arrival. His commission having been published in due form, he immediately entered upon the duties of his office. He retained in the Executive Council those who had served under his predecessors; and having administered to them the customary oath of office, he issued a call for a new Assembly to meet on the 8th of May, 1698.

The representatives of the people, not to be outdone by their constituents, now united in extending a formal reception to the newly arrived Governor. The corporation of the city, at the head of which was Mayor Johannes DePeyster, tendered him a formal

* Earl of Bellomont to Secretary Vernon. *Doc. rel. to the Col. Hist. of N. Y.* Vol. IV, pp. 760, 815.

banquet, at which an address full of loyalty to the King was read.

Bellomont was a nobleman of high rank, the son of a peer and accustomed to a courtly style of living—for which he ever retained a fondness; but he was not a man to neglect his duties for a life of ease and pleasure. His parliamentary experience and thorough acquaintance with English political affairs and the foreign policy of the government, peculiarly fitted him for his new duties, upon which he entered with few if any misgivings.

Some years before coming to America he had married a young girl (said by some writers to have been but twelve years of age at the time)* named Catherine Nanfan, the daughter and heiress of Bridges Nanfan, Esq., of Bridgemorton, County Worcester, England.† By this union he had two sons, Nanfan and Richard. His domestic relations were exceptionally pleasant; and except an occasional attack of the gout, he enjoyed tolerably good health.

Wholly unembarrassed by fear or favor, he began his administration with a firm resolve to discharge his duties to the satisfaction of the King and in a straightforward and honorable manner; and although beset by the most perplexing opposition, from the very outset, he never swerved from his honest intentions.

Bellomont's fine personal appearance was well calculated to make a decidedly favorable impression upon the people of New York. Tall, good-looking, and graceful, he bore his sixty-two years as lightly as though they were but fifty.‡ No less pleasing in manners than appearance, agreeable in conversation, affable in demeanor, and extremely stylish in dress, it is not at all strange that he became at first sight a prime favorite with all classes of the community. With the Dutch, whom he subsequently declared to be "most hearty for his present majesty," and "a sober industrious people, obedient to government," he ever retained his popularity.

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* Sketch of Lord Bellomont in Stryker's *American Quarterly Register*. Vol. I, p. 434. By J. B. Moore.

† *The Peerage of Great Britain and Ireland*. Sir Bernard Burke.

‡ Mr. Lamb's *History of New York*.

The cordial relations which it was well-known existed between him and William III, and his early aid in bringing that prince to the throne of England, and in supporting the Protestant religion, may have done much to influence them in his favor; but above all these considerations, was his constant solicitude for their welfare, and his consistent and persistent championship of the cause of their martyred leaders, Leisler and Milborne. He had scarcely been in the Province a week, before his conscientious attempts to enforce the laws and carry out his instructions, raised up around him a host of personal enemies. Each successive attempt on his part to perform his duty served but to increase their number, and the hatred thus engendered, pursued him with slander, misrepresentation, and vindictiveness, down to the day of his death; and even after that event, took delight in insulting his memory.*

From the date of Bellomont's confirmation as Governor of New York, this enmity began. His predecessor in office, Colonel Benjamin Fletcher, a man of very questionable judgment, to say the least, chagrined at being superseded, sought by every means in his power to render the office of Governor a most uncomfortable one for his successor to fill; hoping, as the sequel showed, to be reinstated to the position.

Towards the latter part of Fletcher's administration, and immediately following the news of Bellomont's appointment, began the iniquitous system of land grants, which for a time paralyzed the development of the Province, and might have operated most disastrously against its future greatness and prosperity, had not the sagacity of the honest Earl foreseen its evil consequences, and his determination arrested and in part prevented them.

Some idea of the nature and extravagance of these grants of Fletcher may be obtained from the following brief schedule of six of them, taken from the New York Colonial Manuscripts, which will serve to show their enormous extent:

"1. A grant to Colonel Nicholas Bayard for a tract of land in the County of Albany, about 24 or 30 miles in length.

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* *History of New York.* Dunlap.

"2. A grant to Godfrey Dellius, Minister at Albany, for a tract of land on the East side of Hudson's river, about 70 miles in length and 12 in breadth.

"3. A grant to Colonel Henry Beekman, for a tract of land in Dutchess County, about 16 miles square; and likewise for another tract of land upon Hudson's river, about 8 miles in breadth and 20 in length.

"4. A grant to Colonel William Smith, for sundry tracts of lands and meadows in the Island of Nassau [Long Island] computed to contain about 50 miles.

"5. A grant to Captain John Evans for sundry tracts of land lying on the West side of Hudson's river and containing about 40 miles in length and 20 miles in breadth [amounting to 800 square miles.]

"6. A grant to Wm. Pinhorne, Esq., and four others, for a tract of land lying on the Mohawk river, about 50 miles in length and 2 in breadth on each side of the said river."

In addition to these and other extravagant grants, Fletcher made several smaller ones, the latter comprising land, to dispose of which he had no authority or right whatever. These grants also were made after he knew that his successor had been appointed, and besides evincing a desire to embarrass Bellomont, seem to show Fletcher's intention of making all the profit possible out of his government before it passed into other hands.

Attached to the Governor's residence at the Fort, was a garden for pleasure, fruit, and herbage, known as the "King's Garden," and a farm called the "King's Farm," for the pasturing of the Governor's horses and cattle; the two forming part of the King's demesnes. In the time of James II, Governer Dongan proposed to grant the King's garden for the maintenance of a school founded by the Jesuits; but the King—much as he is supposed to have favored the Catholics—refused his consent, on the ground that "he would not have his Governors deprived of their conveniences."*

* *Doeuments relating to the Colonial History of the State of New York.* Vol. IV, p. 490.

Contrary to all precedent, which preserved these demesnes intact for the sole use of the Governor, Fletcher, on hearing of Bellomont's departure from England to take charge of his government in New York, made grants of the most valuable portions, probably with a desire to annoy the person who was coming to supersede him. The "King's Garden" was leased to Colonel Heathcote, and the "King's Farm" to Trinity Church; while still other portions of the Governor's lands would have been granted away, only that the Council thought Fletcher was going too far in the matter.

The consequence of all this was that when Bellomont arrived he found that the greater part of the King's demesnes which rightly belonged to the Governor for his use and pleasure during his term of office, had been granted away, and that what was left was in a most sadly neglected condition, and so limited in extent as to be scarcely sufficient to pasture a horse and a cow. The house in which he was obliged to take up his residence was in such a wretched state of repair that the rain came in through the roof; and the flooring of the lower halls and rooms was in an advanced state of decay. These minor annoyances, however, Bellomont bore as cheerfully as possible; and after getting settled in his abode, turned his attention at once to more important matters. Scarcely a week had passed since his arrival before he had occasion to carry out his instructions regarding the enforcement of the Acts of Trade. These Acts, it must be acknowledged, bore heavily upon the people of the Province, who were not only taxed five per cent. on imports and exports, but were obliged to restrict their trade to English ships trading directly with England, it being at that time well established among all European nations, that the commercial advantages of colonial possessions should redound to the benefit of the mother country, as asserted by many historians.

Moreover, as these Acts of Trade were framedby the English government, which, to the greater part of the people of New York, was alien and arbitrary, their violation was not generally regarded as a very grave offence by the colonial merchants, the greater

number of whom were Dutch and French. Bellomont's duty was to obey instructions. Accordingly, when it came to his ears that an unfree ship laden with East Indian goods was in port, he immediately gave orders for the seizure of the vessel and its cargo.

The tardy and imperfect manner in which his orders were obeyed, convinced him that no dependence was to be placed on the Customs officials. At the head of these was Mr. Chidley Brooke, the Collector and Receiver-General, who was a former *protégé* of Bellomont's uncle, and who owed his advancement in life principally to the influence of the Coote family, to which it is said he was distantly related. Bellomont's first investigations showed him that Brooke was unreliable, and he at once suspended him from office; appointing two Commissioners in his stead, until the government confirmed a successor. One of these Commissioners was Colonel Van Cortlandt, a member of the Council, and a man of excellent repute; the other, a Mr. Monsey, who had filled for several years the office of Searcher of the Customs, at a salary of £50 per annum, and whom Bellomont advanced to the higher grade of Commissioner, at £200 per annum, from a belief that his experience in the Customs would render his services in this new position valuable.

But the trouble was not confined to the chief officer. Even the Sheriff and Constables, whose duty it was to attend to the seizures, were bribed to neglect their duty, or were themselves interested in defeating the operation of the law. The excitement of the merchants grew intense over Bellomont's decisive action. Mr. Monsey's first attempt to carry out his instructions, resulted in his life being threatened by the angry merchants; whereupon he resigned his office, and Mr. Ducy Hungerford, a distant connection of the Earl, was appointed in his place.

Shortly after Bellomont assumed the government, charges of complicity with pirates had been brought against Mr. William Nicoll, a member of the Council; and as the Earl deemed them well-founded, he suspended him from office. The suspension of

Mr. Brooke, who was likewise one of the Council, removed a second member; and a third, in the person of Mr. William Pinhorne, who remonstrated with Bellomont in violent language for his arbitrary proceedings against the merchants, soon followed. "Hindered by his assistants, opposed by the people, and threatened by the merchants,"—to borrow his own account of the situation, the Governor certainly had no pleasant time of it; but the opposition he enconntered served only to strengthen him in discharging his duty, and he proceeded no less firmly, although unsupported. His efforts at reform, would, he saw, prove entirely futile if men were retained in the Council who would not assist him in carrying out his policy; and he resolved to suspend every member whom he suspected of dishonesty.

The next great outcry against him arose from his enforcing an Act of Parliament restoring, to their families, the confiscated estates of Leisler and Milborne. It should be remembered that after the execution of these two men, their friends and adherents made strenuous endeavors to place their conduct in its true light before the English government. A calm investigation of the facts convinced Parliament that their execution was wholly unwarranted; and an Act was passed legitimatizing the government founded by them, reversing the attainder, and directing the return to their heirs of their confiscated property. When Bellomont reached the Province, he found that this Act had been treated with positive contempt. The estates had passed into the hands of several owners who had purchased them at public sale; and some of these persons had already disposed of a portion of what they had thus acquired. These new owners formed what we would now call a "ring," and seem to have had sufficient influence with the colonial officers to retard, for the time being, the return of the property to the heirs of Leisler and Milborne, as directed by the Act of Parliament. Before leaving England, the Earl was convinced that the two men had been unjustly and cruelly dealt with, although in giving orders, on his arrival in New York, that the provisions of the law be instantly carried into effect, he did not in the least exceed his duty,

nor even give way to prejudice, however great his personal feeling in the matter may have been.

A circumstance which annoyed Bellomont very much, and which showed him the temper of the persons composing the Council, was the fact that they avoided as much as possible lending him their assistance, although they maintained a close communication with Colonel Fletcher, who still remained in New York.

The first Assembly called by Bellomont proved as severe a disappointment to him as his Council. Despite his proclamation, "commanding all fairness of elections and legal and just returns of Representatives," the election of eleven out of nineteen who were returned was disputed. These eleven, however, with a boldness and persistence that would have done credit to more modern politicians, managed to retain their places. The greatest disorder and confusion followed; and it was evident that nothing in the way of legislation could be accomplished. Bellomont had no inclination to imitate the example of some of his predecessors, either in managing elections or in interfering with the rights and liberties of legislators; but the manifest corruption in this case so disgusted him, that upon receiving a petition from several of the well-disposed members, he peremptorily dissolved the Assembly after it had been in session about one month.

At the time Lord Bellomont entered upon his duties, the entire European population of the British colonies in North America did not exceed two hundred thousand persons.* Of this number New York had somewhat less than twenty-five thousand, and New England about seventy-five thousand. In New York, the preponderating element was Dutch; in New England, the people were almost all English. Between the inhabitants of these two provinces there existed a rivalry which, at times, fell but little short of antagonism. Notwithstanding this, however, both moved onward with rapid strides in the work of civilization and development; and the remarkable intelligence and prosperity of their

* Bancroft's *History of the United States.*

descendants at this day, attests the wonderful vigor of the parent stock.

But although it is not generally known, and even when known not sufficiently pondered on, the people of New York and New England were in reality homogeneous. The complete elucidation of this remarkable fact would, in itself, occupy a somewhat lengthy address, yet, as the subject is rarely touched upon, I venture to allude to it briefly in this place.

The English historian Heylyn, writing in the early part of the seventeenth century, says: "In the time of Henry II [about A. D. 1170] Flandres was so overflowne that many thousands of people, whose dwellings the sea had devoured came into England to beg new seats; and were by that King first placed in Yorkshire and then removed to Pembrokeshire." These, however, were not the first colonists from Flanders who settled in England, as in the preceding reign many others had come over at the invitation of the English King.

A recent historical writer, who has evidently given close study to the subject, in commenting on this statement of Heylyn's, says: "For Yorkshire it would seem more plausible to read Lincolnshire, whose southeast subdivision was styled Holland, embracing a tract of land recovered from the sea by a *Dutch* colony settled therein prior to the sixth century. Boston, its chief town, already in the reign of Edward III [1327–77], one of the principal commercial ports of England—whose lofty church tower two hundred and ninety feet in height, resembles that of Antwerp cathedral, and is visible forty miles out at sea—was originally called St. Boto[u]lph's town, after a prelate who preached the Gospel in the seventh century in *Belgic Gaul*." * * *

* * * "This Saxon district, the last to submit to William the Conqueror, was as late as 1140 a refuge for the last free English Saxons. Thus, the same spirit which animated the Saxon Menapii to defend their marshes against the fearful Julius and his mighty namesakes and maintained the freedom of their native sea-land, inspired their issue in the fens of England to resist the potent . . .

Norman Conqueror and avert his cruel thrall from their new homes. Again when prelacy and Stuart tyranny sought to impose their yoke upon another generation, the same stern influence bade them gird up their loins and cross the Ocean, far, far away to a new world, bearing forth the precious seed destined to bring forth priceless harvests." *

Thus it will be seen that the English settlers of New England and the Hollandish element of New York were identical in origin. Surely, the consideration of this fact should tend to bind their descendants together by that most indissoluble of ties, a common origin, and aid in maintaining that perfect harmony on which the cause of progress and the future of the nation so largely depends.

Following the example of England and Holland, the early settlers of New England and New York strove for the maintenance of their religious rights, but as yet entertained no thought of perfect religious toleration. Protestantism, still in its infancy, and inexpressibly dear to those who professed it, demanded for its nurture and increase the removal of all opposition; and by reason of this fact, the action of its avowed and devoted adherents in hesitating, even when greatly in the majority, to accord perfect religious freedom to Catholics, can be understood without difficulty. Therefore it is that while we, in these later days, recognize the wisdom of the founders of the American Republic, in making religious as well as civil liberty the foundation of our institutions, we cannot harshly condemn the methods by which the early settlers of New England and New York sought to insure their own religious freedom.

The fact that Bellomont signed an Act passed by the New York Assembly, making it a felony for any ecclesiastic of the church of Rome to reside in the Province after a certain specified date, has been adduced by some historical writers as a proof of intolerance and bigotry on his part, and referred to as an indelible stain upon his character. An impartial investigation of the circumstances will

* *History of Carausius*, by Gen. J. Watts de Peyster.

suffice, however, to prove to any unbiased mind, that it was "rather a measure of state policy than persecution," there being a widespread belief at the time that the Indian tribes were being excited to hostilities by Jesuit priests, working in the interests of the French. Yet it cannot be denied that Bellomont was a most zealous Protestant, and sought by every legitimate means to advance the interests of the Church to which his sovereign and the great majority of his countrymen belonged, and in the preservation of which, in England, he himself, as one of the leaders in the Revolution, had played no unimportant part.

While Bellomont can hardly be accused of favoring any particular clique or party among the colonists, it is true that he had a warm feeling of sympathy for the Leislerians. Yet, even for these, he did no more than common justice dictated. After a few months' residence in New York he found that they were largely in the majority; and, in an essentially democratic spirit, he paid them that attention which, as a just Governor, he felt was rightly their due. He did not proceed to any great lengths even in this. I have already mentioned that he ordered the restoration of the confiscated property to the families of Leisler and Milborne; and that by so doing he stirred up a host of enemies. But he merely enforced the provisions of an Act of Parliament, and however gladly he did so, it was duty and not favoritism on his part.

A circumstance which occurred some months later, and which was made the cause of many and grievous complaints against him by his enemies, was really but the carrying out of the legal provisions reversing the Act of Attainder on Leisler and Milborne, and was permitted out of deference to the wishes of their friends, who composed the popular majority. This circumstance was the disinterment of the remains of Leisler and Milborne from the hole beneath the gallows into which they had been hastily thrown after the execution, and their reinterment, with Christian ceremonies, in the burial ground of the Dutch Church. Out of a proper and praiseworthy respect for the memory of the deceased, their relatives and connections, including Abraham Gouverneur, who had married

Mary Leisler, the widow of Jacob Milborne, and who was now the Speaker of the Assembly, decided on taking this step, provided they could obtain the Governor's permission. As soon as it became known that the Leislerians were moving in the matter, a strong influence was brought to bear on Bellomont to prevent his giving his countenance to the plan. The ministers of the Dutch, French and English churches, and many of the wealthy residents of the city petitioned against it; the former, on the ground that it was likely to give rise to a breach of the peace; the latter, presumably through hatred, they being pronounced anti-Leislerians. Bellomont's sentiments would not however allow him to refuse this tardy act of justice; and, braving the opposition, he not only granted permission for the burial, but allowed a hundred soldiers to attend as a guard of honor. The disinterment took place at midnight, and although "it blew a rank storm for two or three days together," upwards of twelve hundred persons—mostly Dutch and many of them from neighboring towns—were in attendance. This large crowd formed in procession, and to the beating of muffled drums and lighted torches, proceeded with slow and solemn step through the dismal storm, to the City Hall, where the remains were allowed to lie in state for several days, after which they were interred in the Dutch Church.*

In referring to this weird affair, Bellomont, in a letter to the Lords of Trade, says: "I do not repent my so doing since no manner of ill consequence ensued, and if it were in my power I would restore them [Leisler and Milborne] to life again, for I am most confident and dare undertake to prove it, that the execution of these men was as violent, cruell and arbitrary a proceeding as ever was done upon the lives of men in any age under an English government, and it will be proved undeniably that Fletcher hath declared the same dislike and abhorrence of that proceeding that I now doe, notwithstanding his doubleness in publishing a book to applaud the justice of it and screen his sycophant Councillors,

* Earl of Bellomont to the Lords of Trade, Oct. 21st, 1698. *Doc. rel. to Col. Hist. of N. Y.* Vol. IV, p. 401.

Nicholls, Bayard, Brooks and the rest of the bloodhounds. * * * * I do not wonder that Bayard, Nichols and the rest of the murderers of these men should be disturbed at the taking up of their bones; it put them in mind ('tis likely) of their rising hereafter in judgment against them."*

This affair and others of far less importance were greatly magnified by the merchants of New York and their correspondents in London, in the hope of inducing the Lords of Trade to decide on Bellomont's removal.

Besides the anti-Leislerians and the angry merchants, Bellomont had other enemies almost as powerful, and fully as vindictive and uncompromising. These were the persons who had obtained extravagant grants of land from Governor Fletcher. Upon investigation Bellomont discovered that about three-quarters of the Province had been granted away to eleven persons. Perfectly amazed at the extent of these grants, which he knew was not fully realized in England, and perceiving the disastrous effect upon the growth of the Colony which must result from confining such vast areas of fertile territory in the hands of a few speculators, he urged the Lords of Trade to confer upon him power to vacate them. The people of Albany, through their representatives, had already memorialized him to vacate one of these grants—that made to William Pinhorne and others. They asserted that this grant totally disregarded the natural rights of the Indian inhabitants who had been their faithful allies during the French war, and also interfered with the rights of white settlers. The best part of the Province—that bordering upon the Hudson and Mohawk rivers, had been unwisely, if not criminally, cut off from the people by these grants; and Bellomont determined on having it restored if possible. After the Lords of Trade had carefully studied the matter, they saw that Fletcher's policy in grants had been detrimental to the welfare of the country, in fact, had seriously interfered with its prosperity. They explained affairs to the Lords Justices of England, and the latter

* The Earl of Bellomont to the Lords of Trade, May 15th, 1699. *Doc. rel. to the Col. Hist. of N. Y.* Vol. IV, p. 523.

thereupon instructed Bellomont "that he should put in practice all methods whatsoever allowed by law for the breaking and annulling those exorbitant, irregular and unconditional grants."

In obedience to these instructions, Bellomont directed the Attorney-General of the Province to prepare and bring in a bill for vacating Fletcher's grants. Six of the Council were present when the bill was brought up, three of whom, being themselves large land-owners, voted against it. The other three, with Bellomont's casting vote, passed it. This bill had been purposely framed to avoid giving general alarm, as Bellomont foresaw that the opposition of a large number of interested persons would probably result in defeating the measure. Having passed the Council, the bill was sent to the Assembly, and being successfully passed there, required merely the endorsement of the Lords of Trade and the approval of the King to become a law.

But influences were speedily set to work to counteract this wholesome law. Those interested contributed money and sent one of their number to England, where, by counter-statements and misrepresentations, he succeeded in preventing the immediate endorsement of the Act of the New York Assembly. Much as Bellomont labored in this measure, he did not live to see it carried out as emphatically as he desired; but he had the satisfaction of knowing that the steps he took could scarcely fail to eventually secure the restoration to the people of the Province, of the large and valuable territory of which they had been illegally and unjustly despoiled.

As previously stated, Bellomont had three principal objects in view in coming to America; these were the enforcement of the Acts of Trade, the suppression of piracy, and the healing of the local troubles between the colonists. To these objects, which primarily occupied his attention, may be added the vacating of the land grants; and also the preservation of peaceful relations with the Indians, who were to be prevented from falling under French influence.

Unaided by vessels of war, embarrassed by dishonest and untrustworthy officials, and opposed by a powerful clique of

merchants, Bellomont's efforts to suppress illegal trade were necessarily but slightly successful.

In operating against piracy he was more a power in his own person, for he could refuse commissions and protections to free-booters, and could also, with the aid of the troops at his command, arrest any who came within his jurisdiction. As his sense of justice was ever too great to allow him to palliate wrong, he could not bring himself to please the opponents of Leisler and Milborne by refusing justice to the families of these two patriotic men, or honor to their insulted names and memory; consequently he accomplished little towards uniting the two contending parties. But from his point of view he did almost as well; for he acknowledged the claims of the democracy—which was largely in the majority, so far as regarded numbers—to representation in the government; and by giving the people his support and encouragement, increased their loyalty to the Crown.

Regarding his labors in vacating the extravagant grants of land, reference has already been made. Although not completely successful, they were sufficient to arouse public attention in England to the methods by which the Crown and the people both were robbed of valuable possessions for the enrichment of a few grasping individuals. His negotiations with the Indians were, as a rule, quite successful; and would doubtless have been emphatically so, had the Home Government paid greater heed to his suggestions and recommendations in regard to their treatment.

About August, 1698, the East India Company informed the Lords Justices that intelligence had reached them of acts of piracy committed by Captain Kidd. Circular-letters were accordingly sent to all the colonial governors giving notice of this news, and ordering a strict lookout to be kept for Kidd's appearance and his immediate capture if possible. In the early part of this Address I gave the particulars of the fitting out of Kidd's expedition, and the details of his cruise for the first fifteen or sixteen months after leaving England, during which time he had adhered to his instructions. From an impartial study of the various accounts of this

notorious freebooter, I am led to believe that he became a pirate, not so much from any particular design on his part, as by force of circumstances, and previous training as a privateer. With a crew of lawless men, whose only hope of reward was based on captures of some kind, which, since leaving New York, they had not been fortunate enough to make, it would not be surprising if fears of a mutiny compelled him to depart from the letter of his instructions. But, whatever the actual cause, he began his piratical career by an unsuccessful attack upon the Mocha fleet; followed by the capture of a Moorish ship, from which he realized very little booty; and an attack upon a Portuguese man-of-war which he gladly quitted after testing her prowess. This unprofitable warfare seems to have satisfied him temporarily; and it is possible that if he had been able to control his men, he would have confined himself thereafter to his legitimate work, or else have returned to England. This seems all the more probable from the fact that he allowed the next ship that he fell in with—the *Royal Captain*—to proceed unmolested, merely exchanging with her the usual marine courtesies. But this unpiratical conduct, though it affords presumptive evidence of a desire on Kidd's part to avoid exceeding his instructions, did not satisfy his men. One of them so irritated Kidd by his complaints that, in a fit of passion, the latter struck him to the deck with a bucket, inflicting injuries that proved fatal the next day; and this, the only act of blood that stained his career, and a somewhat pardonable one, it would appear, in a man completely at the mercy of a desperate and turbulent crew, forms the only foundation for the alleged bloodthirsty proclivities still attributed to him. Succeeding this event, he made several small captures, followed by that of the ship "Quedagh Merchant" valued at about £64,000. At no time in his career does he seem to have abandoned the idea of returning to England and giving an account of himself; for, as late as the time of disposing of some of the goods taken in this last prize, he is known to have set aside the percentage due the owners. He claimed afterwards that the "Quedagh Merchant" sailed under a French pass, and consequently was a legal capture. Still, if so, and

if he had the intention of acting fully up to his instructions, he should have taken her to some British port and had her condemned, a proceeding to which he does not appear to have given even a thought.

Arriving at Madagascar with his prize, he burnt the "Adventure-galley," having first disposed of her outfit to pirates whom he met there, and who feared at first that he would attempt their capture. About two-thirds of his crew now quitted him to follow the fortunes of another leader, they previously receiving their share of the plunder taken from the last prize. With the remainder of his men, Kidd sailed in the "Quedagh Merchant" for the West Indies, arriving there in the spring of 1699. Almost the first news which greeted him was that he had been declared a pirate. After some little difficulty he succeeded in purchasing a sloop; and putting into it forty men and some of his treasure, and leaving the rest of his booty in the "Quedagh Merchant," in charge of about a score of men, he sailed northwards, shortly arriving in Delaware Bay, where he readily obtained supplies. Later, he made his appearance in the vicinity of New York; but learning that Bellomont was in Boston, he proceeded to Rhode Island, where he disembarked a messenger to inform the Earl of his arrival, and to make protestations of his innocence.

Bellomont was overjoyed to hear that Kidd was so near at hand and resolved to capture him, as his reputation in England was beginning to suffer from his connection with the expedition. With the advice of his Massachusetts Council, he sent back word to Kidd that if his representations were true he could come to Boston with safety.

On the 1st of July, 1699, Kidd arrived in Boston in his sloop, and presented himself before the Governor and his Council for examination. He was not successful in making his innocence appear, but the Earl hoping to discover where the ship "Quedagh Merchant" was secreted, refrained from committing him to prison. A number of circumstances, however, showed Bellomont that the temper of the people of the Province was favorable to Kidd, and

fearing his escape and the disappearance of his spoil, he gave orders, on the 6th of July, for his arrest. At the same time, the cargo was taken possession of by commissioners appointed by the Council, and a search was instituted for such goods and treasure as had been concealed or disposed of by Kidd, in the several places where he had touched before arriving at Boston.

After his arrest, Kidd sent word to Bellomont that if he "would let him go to the place where he left the 'Quedagh Merchant,' and to St. Thomas's Island and Curasçao, he would undertake to bring off fifty or three score thousand pounds which would otherwise be lost;" and, "that he would be satisfied to goe a Prisoner."*

Situated as Bellomont was, he did not dare to entertain this proposal; but after trying in vain to learn where the "Quedagh Merchant" lay, he ordered a vessel to be fitted out to go in search of her. Before this vessel sailed, however, he received information from a reliable source that the men left in charge of the "Quedagh Merchant," had removed her cargo in a sloop to Curasçao, and then burnt her to the water's edge.

The commissioners appointed to take charge of the property of Kidd, reported the total of all seized and recovered as "one thousand one hundred and eleven ounces of gold, two thousand three hundred and fifty three ounces of silver, fifty-seven bags of sugar, forty-one bales of goods, and seventeen pieces of canvas." A portion of this property consisted of several pieces of plate and two hundred and sixty dollars in money belonging to Mrs. Kidd; and twenty-five crowns, English money, belonging to her maid; all of which was subsequently restored.

It having been decided to try Kidd in London, the Home Government, sent over the Advice Frigate, commanded by Captain Wynn, to bring him thither; and, in company with thirty other pirates, he arrived in England on the 12th of April, 1700, and was committed to prison in London. A year passed before he was brought to trial. In the meantime a fierce political opposition to

*The Earl of Bellomont to the Lords of Trade, Jan. 5th, 1699. *Doc. rel. to Col. Hist. of N. Y.* Vol. IV, p. 602.

Lord Somers and the Earl of Oxford, respectively Lord Chancellor and Lord High Admiral of England, had sprung up, and their impeachment was determined upon. Every means was taken by their enemies to effect their ruin; and among other charges brought against them, was that of connection with Captain Kidd, in which the Earl of Bellomont also was mentioned.

The enemies of Bellomont in England, principal among whom were the agents of those he had offended by his activity in suppressing illegal trade and in vacating the land grants, took advantage of this affair to press for his removal from office. They insinuated that he was sent from New York to countenance Kidd and other pirates, in the face of the fact that he had been the means of causing the arrest of a number of freebooters, and that he had almost succeeded in eradicating the evil in the provinces over which he governed, and that, too, by his vigorous and unaided measures.

At this time also, the question of the Irish forfeitures was in agitation in Parliament, and much opposition was shown to the grants of confiscated estates made by William III to several of his favorites. The efforts of the Tories and Republicans—who united against the Whigs—were successful; and in abolishing the grants no distinction was made between those who were enriched by "injudicious partiality" and those who had been "sparingly rewarded" for services to the State and the Protestant religion. Among those who suffered was Bellomont, who found himself deprived of an estate to which he was entitled as well by reason of the services of his father and grandfather, as by his own zeal in supporting the King, and the losses he was at by the rebellion in Ireland.

The malicious rumors regarding his complicity with pirates, and the proceedings in relation to this and other matters in the House of Commons—where his name was now frequently dragged into debate—annoyed and worried him exceedingly. Conscious of his entire innocence of evil design, and knowing how earnestly he strove to discharge his onerous duties to the satisfaction of his

sovereign, his sorrow and mortification at being thus grossly maligned and misrepresented must have been keen in the extreme. But his proud nature, while chaffing under this harsh and unjust persecution and neglect, gave way to but little complaint; nor did he for an instant relax that stern attention to duty which with him was ever a fixed principle. The following extract from a communication by him to the Lords of Trade, dated October 17th, 1700, shows the temperate nature of his remonstrances against the treatment he was receiving:

"I have been much troubled to find my name brought on the stage of the House of Commons about Kidd. 'Twas hard I thought I should be push'd at so vehemently when it was known I had taken Kidd and secur'd him in order to his punishment; which was a sure sign the noble Lords concern'd with me, and myself, had no criminal design in setting out that ship. Another mortification I have met with is the loss of a rent-charge of a £1,000 a year which the King was pleased to give me upon an Irish forfeited estate, in recompense of the great loss I had sustained by the rebellion in Ireland. If I have served the King and interests of England here, I am sure I have been strangely rewarded there."

All through his administration Bellomont showed himself possessed of an inflexible integrity. By winking at illegal trade he could easily have gained the favor of the merchants, and silenced all opposition; for the clamor against him arose mainly from the fact that many of those engaged in trade found their profits sadly lessened by his extraordinary vigilance; by becoming a partner in their unlawful practices he could quietly, but surely, have amassed a fortune. But he pursued an exactly opposite course; and so careful was he not to involve himself in any way with those engaged in commercial transactions, where it was possible that the influence of his name might be used in evading the law, that he refused an offer of silent partnership in a legitimate business, made to him by a New England merchant.* He might have added largely to his

* The Earl of Bellomont to the Lords of Trade, 28th Nov., 1700. *Doc. relating to Col. Hist. N. Y.* Vol. IV, p. 792.

income by granting immunity or protection to pirates; but though very tempting inducements were held out to him—amounting in one instance at least to £5000, for protecting a single company of pirates,* and in several other instances to quite large sums for similar services, he indignantly refused them all.

Having taken Kidd into custody, he carefully guarded all the treasure seized with him, and instituted an honest search for what had been removed from the sloop before it put into Boston. Having recovered this portion, he added it to the original seizure and sent the whole to England, "without retaining to the value of a farthing" for himself; and, according to the testimony of Secretary Vernon,† he pursued the same honest course with the effects of every pirate he seized.

Bellomont's own statement in regard to the possibilities of profit in administering the government of New York, shows that the post could have been made a decidedly valuable one to a Governor with an elastic conscience. He says: "'Tis true if I could make this a mart of piracy, confederate with the merchants and wink at their unlawful trade; if I would pocket all the off-reckonings, make three hundred pounds per annum of the article of victualling the poor soldiers, muster half Companies, pack an Assembly that would give me what money I pleased and let me misapply it as I pleased, and pocket a great part of the publick moneys; I could make this government very valuable, I believe more than that of Ireland, which is reckoned the best government in his Majestie's gift." ‡

But the honest Bellomont refused to profit by doing wrong himself, or allowing others to do wrong. He contented himself therefore with his legitimate perquisites, an account of which for the first year of his administration in this Province, with a reference to his salary, I quote from one of his letters to the Lords of Trade:

"That your Lordships may be judges of all the profits of this

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**Doc. relating to the Colonial Hist. of the State of New York.* Vol. IV, p. 458.

† *Letters of James Vernon to the Duke of Shrewsbury.* Vol. III, p. 27.

‡ *Doc relating to the Colonial History of the State of New York.* Vol. IV, p. 378.

government, I resolve you shall know to a shilling what the perquisites are from time to time. I formerly sent you an account of the seizures of ships and unlawful goods with the apprizements and sales of them, and for how much; and in thirteen months that I have been here I have got but eighty-three pounds six shillings New York money from the Secretary for passes for Ships, Licenses for Marriages and Probats of Wills and all other things wherein the Seale of the Province has been used. And when I went to Albany the present from the Indians consisting in Beaver skins and some few others skins, I sold for eighty pounds nine shillings and ten pence New York money. I can safely declare upon oath that the particulars above specifyed and my salary of four hundred pounds *per annum* are all the profits I have had, received, or made directly or indirectly since my being in the Government, that I know or remember." *

When Kidd was brought before the Commissioners in England, he defended himself on the ground that his men had forced him to exceed his instructions. When questioned as to the amount of treasure brought by him to New England, he said he estimated it to be worth about £30,000; but added that part of it had been embezzled by those who got it into their hands, although he acquitted Lord Bellomont of having kept any part of it.

The trial of Kidd did not take place until the 8th of May, 1701. Having been "found guilty on an indictment for the murder of Moore, the gunner, and on five separate indictments for piracy, he was sentenced to be hung, and in the same month [May 12th] was accordingly executed." †

Some apologists for Kidd, in their endeavor to make it appear that he was a martyr to circumstances, have felt it necessary to blacken the character of Bellomont, whom they accuse of dealing perfidiously with his former friend. A conscientious study of the whole subject must however convince the impartial and unprejudiced student that no other course was open to an honest man like

* *Doc. relating to the Colonial History of the State of New York.* Vol. VI, p. 522.
† Henry C. Murphy.

Bellomont, than that which he took. His duty as a magistrate was plain; he had orders to suppress piracy and to arrest pirates; and so far as he had the power he carried out the law. Even if Kidd had been forced into piracy by a mutinous crew, it was not for Bellomont to decide that he was not guilty. His duty to himself and to his family demanded that he should exonerate himself from all charges of complicity with Kidd's illegal deeds; and this was only possible through the fullest investigation—which, to his credit be it said, he anxiously courted.

"To an intelligent and candid judge of human actions," says the eminently wise Macaulay, from whom I quote, "it will not appear that any of the persons at whose expense the "Adventure-galley" was fitted out deserved serious blame. The worst that could be imputed even to Bellomont, who had drawn in all the rest, was that he had been led into a fault by his ardent zeal for the public service and by the generosity of a nature as little prone to suspect as to divise villainies. His friends * * * might surely be pardoned for giving credit to his recommendation. It his highly probable that the motives which induced some of them to aid his design was genuine public spirit. But if we suppose them to have had a view to gain, it was to legitimate gain. Their conduct was the very opposite of corrupt. Not only had they taken no money, they had disbursed money largely and had disbursed it with the certainty that they should never be reimbursed unless the outlay proved beneficial to the public. That they meant well they proved by staking thousands on the success of their plan; and if they erred in judgment the loss of those thousands was surely a sufficient punishment for such an error. On this subject there would probably have been no differencc of opinion had not Somers been one of the contributors."*

I have thus far merely attempted to show the obstacles encountered by Bellomont in his attempts to suppress piracy and illegal trade; and have dwelt briefly on the opposition awakened by

* *History of England.*

his labors in this direction and against the extravagant land grants. These labors were the most important of his administration, and to them he gave the greater part of his attention and energy. His success, it is true, was far from being what was expected by the English government or desired by himself. Yet, in the face of all the circumstances, it was as much as could have been accomplished by an impartial and honest governor. At the time he came to the Province, knavery and rascality may be said to have been at a premium, and those who practised them unblushingly, became, in many instances, both wealthy and powerful. This element, with the friends and adherents of Fletcher and the so-called "Jacobites"—who detested Bellomont for his efforts in furthering the English Revolution—formed a party which not only steadily opposed every reform introduced by the new Governor, but also persistently misrepresented and maligned him. Active in the Province, it had also its agents in England; and with a spirit similar to that which actuates some of our modern political parties, it seems that their rallying cry was "anything to beat" Bellomont. It is impossible to say how far their attempts would have been successful, had not the hand of death intervened and removed the object of their persecutions.

The time allotted to the delivery of this Address does not permit of my touching on any of the minor matters that engaged Bellomont's attention in his government of this Province; and for the same reason I am obliged to omit any account of his administration in England. One subject, however, I feel that simple justice demands I should not wholly neglect. Therefore I shall detain you a few minutes longer to refer to his religious character, which was variously assailed by his enemies, and with such success as to lead the Bishops of London to congratulate the Reverend Mr. Vesey, Rector of Trinity Church, on the probable success of the efforts made for the Earl's removal from office.

Although but little is known of the religious tendencies of Bellomont in early life, it is certain that in his later years he was a professing Christian, and a regular attendant at church and

communion. There can be no more question of his sincerity than that of thousands of worthy persons who in youth have not been especially noted for their religious zeal, but who in mature life become pillars of virtue and piety. In New York he was attentive to his religious duties and zealous in promoting Christianity, particularly among the Indians.

Bellomont's neglect in attending church began about the time the Act of Assembly was passed vacating the extravagant land grants. Among those who became his enemies, owing to his efforts in favor of this act, was the Reverend Godfrey Dellius, the Dutch minister at Albany. This person, by adopting the methods then in vogue for obtaining lands from the Indians, became possessed of an immense tract of land, described as covering eight hundred and forty square miles, which was duly granted to him by Governor Fletcher. The evil of these land grants was clearly perceived by the Assembly and the conduct of those who obtaind them justly denounced. The course of Dellius seems to have been deemed peculiarly reprehensible, he being a clergyman; and when the Bill vacating the grants was sent to the Assembly, that body attached to it a clause for depriving him of his benefice at Albany, and refused to pass the Bill without that clause. To this Bellomont and his Council agreed, believing that it was "better to lose a wicked Clergyman than a good Bill."

Shortly after the passage of this Act those persons who were deprived of land by it, subscribed £700, and employed Dellius to represent them in England. Fortified with certificates of piety and good life, the latter went abroad, and succeeded in prejudicing in his favor the Classes of Amsterdam, which sent Bellomont a remonstrance. In England he was no less successful. The Bishops of London, who, it appears, had then jurisdiction over New York, likewise hearkened to his representations of Bellomont, and came to regard the Earl as a personage dangerous alike to church and state. This opinion was strengthened by a communication from the Wardens and Vestry of Trinity Church, which represented Bellomont as the enemy of that Church, and prayed that the

Bishop would interest himself in protecting it from the destruction threatened. The only step taken by the Earl against Trinity Church was to approve of the Act which deprived it of the King's Farm granted to it by Governor Fletcher; and this proceeding was by no means harsh, for in it Bellomont but reclaimed land rightfully belonging to the Governor's house, and for which he had pressing need, as I have previously stated.

It is strange that merely depriving the Church of a piece of land, to which it had but seven years' lease, should have sufficed to obliterate the recollection of Bellomont's numerous benefactions and kindnesses of a previous date. But such was the case. Mr. Vesey, the clergyman to whom Bellomont had been a good friend, now became his enemy, and not only neglected to pray for him, as was the custom towards all Governors, but openly and repeatedly prayed for the safe passage and success of Dellius, who had been deprived by law of his benefice and had gone abroad the avowed enemy of the Earl. It can scarcely be wondered at that Bellomont remained away from church under the circumstances. That he did not abandon his religious duties and that he did not become an enemy of the church, is evident from the regularity of his attendance at King's Chapel in Boston, and the solicitude he manifested for the welfare of religion in that place.

Bellomont's visit to Massachusetts took place in 1699. In the spring of that year, having succeeded in restoring the affairs of New York to a reasonable degree of order, he accepted the invitation of the Lieutenant-Governor, Council and Assembly of Massachusetts, to visit that Province. Leaving the government of New York in the hands of Lieutenant-Governor Nanfan, he departed for Boston, accompanied by Lady Bellomont and a large retinue of servants.

I have not time to dwell, even briefly, on Bellomont's course in New England. He was everywhere well received by the inhabitants, who were greatly pleased with him. His various duties in Massachusetts and New Hampshire occupied his attention during

the remainder of the year, and in that time he was the recipient of the sum of £1500, voted him by the General Court of Massachusetts, with which he was in perfect harmony. A most important incident of his sojourn in New England, was the arrest of Captain Kidd, the details of which I have already given.

Returning to New York at the close of the year, he resumed his old battle against illegal trade and piracy, and gave those who persisted in violating the laws so little peace, that a petition against him, signed by a large number of New York merchants, was sent to England. It contained thirty-two heads of complaint, and charged Bellomont with defaming the character of eminent and respectable persons, by accusing them of corrupt practices in trade, and with abetting piracy. About the same time, the merchants of London petitioned the King to interfere and afford redress to their suffering brethren in New York. Despite these assaults, Bellomont gave them no peace, so long as he suspected they were violating the law; and to my mind no greater proof of his honesty could be adduced than this fact.

The continual worry and annoyance to which he was subjected by his numerous enemies, both in America and England, had a bad effect on his general health; and in consequence, the gout, which had lately begun to give him serious trouble, made rapid headway. In February, 1701, an unusually severe attack set in, which terminated fatally, on the 5th of March following, producing a profound feeling of grief in the provinces.

The remains of the Earl were interred with becoming honors "in the chapel of the Fort at the Battery,"* "then occupied by the royal military forces for public worship."† When the Fort was taken down and the Battery leveled, the leaden coffin was removed, and finally deposited in St. Paul's Churchyard. Dunlap, the historian, cites Mr. Pintard as authority for the statement that this Society, at one time, possessed the Earl's coffin-plate.

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* Sketch of Lord Bellomont, by J. B. Moore; in Stryker's *Amer. Quar. Register*, Vol. I.

† Discourse (August, 1856) by the Rev. Dr. Thomas DeWitt.

In Massachusetts, the general grief was no less profound than in New York, and a general fast was ordered throughout that Province.

Lady Bellomont remained in New York for several years after her husband's death; but finally went to live in England, where she married a gentleman named Samuel Pytts. She survived the Earl some thirty-six years.

At the time of Bellomont's death, Lieutenant-Governor Nanfan was absent in Barbadoes on business connected with his wife's estates, and the administration of the Government *pro tem.*, comformably to the King's instructions, fell upon Colonel Abraham de Peyster, senior member of the Council. Captain Nanfan shortly afterwards returned to New York and remained in charge of affairs until the arrival of Edward Hyde, styled by courtesy Lord Cornbury, who was appointed to fill the vacancy occasioned by Bellomont's death.

Such an eminent authority as the historian Macauley, after a brief review of Bellomont's career, declares that he was a man "of eminently fair character, upright, courageous, and independent." In this opinion it would be impossible for a conscientious student of history not to concur. Beset in his administration by difficulties the most harassing, maligned and misrepresented to the Home Government, lacking the support of the most of those in the Province who belonged to the wealthy and aristocratic classes, and conscious that these latter were continually intriguing to secure his disgrace and removal, he yet never was tempted to swerve from his duty, which he made superior to every consideration. And there is no doubt, had his life been spared, that he would have succeeded in carrying out to a successful ending, the numerous reforms in the conduct of colonial affairs which had been so flatteringly and confidently entrusted to his management by the King; and that his wise policy for improving, developing and harmonizing the interests of the colonies, would have been productive of the happiest results.

In conclusion, I have only to add that a careful study of the history of the period, has convinced me that Lord Bellomont was

Col. Abraham de Peyster.

MRS. COL. ABRAHAM DE PEYSTER.

persistently maligned and abused, solely because he had an eye to the public service and not to individual advancement. Strange to say, his enemies were to be found among all classes, a fact which, to my mind, however, determines his great honesty and independence of character. Those engaged in illegal trade hated him, because he was not to be bribed or cajoled into tolerating the least infraction of laws. The merchants were also his enemies, because he would not violate his obligation of office and wink at their evasions of the Acts of Trade. All opposed to Leisler and Milborne were against him, because he carried out the Act of Parliament ordering that justice be done their memory. Even the greater part of the clergy were arrayed against him: those of the Dutch Church, because he would not tolerate the iniquitous conduct of Dellius; and those of the English Church, because he would not alienate a portion of the estate attached to the Governor's residence. Thus it will be seen the private interests of a large class were opposed to the law; and Bellomont, as the representative of the law, and its faithful administrator, was reprobated and vilified by that class.

It must not be thought from this that he had no friends and adherents among the colonists. On the contrary, his cordiality and fair-dealing won for him the esteem of all right-minded persons; and by them he was both appreciated and respected. His only weapon in dealing with his enemies was the truth. To him is eminently applicable the famous lines of Horace:

> "*Integer vitæ scelerisque purus*
> *Non eget Mauri jaculis, neque arcu*
> *Nec venenatis gravidâ sagittis*
> *Fusce, pharetrâ;*"

thus admirably translated by the Reverend Doctor Francis:—

> *The Man, who knows not guilty Fear,*
> *Nor wants the Bow, nor pointed Spear;*
> *Nor needs, while innocent at Heart,*
> *The Quiver, teeming with the poison'd Dart.*

ERRATA.

Page 6, fourth line..... for *Dwitwich* read Droitwich.
" " last line..... " *indisputed* " indisputable.
" 7, fifteenth line..... " *who* " which.
" 9, thirtieth line..... " *followiug* " following.
" 10, third line..... " *Willliam* " William.
" 12, fourteenth line..... " *twarted* " thwarted.
" 13, eleventh line, after "Holmes" should be a proper marginal reference, and at foot of page a note, giving as authority, Gen. Cust's *Lives of the Warriors*, Vol. II, p. 482.
" 13, [Note]* should read *The Old Streets of New York under the Dutch*, by James W. Gerard.
" 14, [Note]* should read Davies' *History of Holland.*
" 16, third and sixth lines..... for *Dominic* read Dominie.
" 17, twentieth line..... " *latter* " later.
" 19, eleventh line..... " *gereral* " general.
" 21, twenty-third line..... " *out* " on.
" 22, seventh line..... " *Colombus* " Columbus.
" " thirty-fourth line..... " *whith* " with.
" 25, [Notes]*, †, ‡, §..... " *Kidd* " "A full Account of the Proceedings in relation to Capt. Kidd; in two Letters Written by a person of Quality to a Kinsman of the Earl of Bellomont in Ireland. [London; MDCCI.]
" 27, first line..... for *Oxford* read Orford.
" " twenty-ninth line..... " *have* " have had.
" 30, twenty-ninth line..... " *Freneh* " French.
" 31, fourteenth line..... " *unsually* " unusually.
" 34, twenty-ninth line..... " *Governer* " Governor.
" 49, first line..... " *Oxford,* " Orford.
" 50, third line..... " *chaffing* " chafing.
" 53, eighteenth line..... " *his* " is.
" 54, twenty-sixth line..... " *England* " New England.
" " thirtieth line..... " *Bishops* " Bishop.
" 55, first line..... " *than that* " than of that.
" " sixteenth line..... " *obtaind* " obtained.
" " twenty-eighth line..... " *Classes* " Classis.
" " twenty-ninth line..... " *Bishops* " Bishop.

APPENDIX.

LETTERS FROM THE EARL OF BELLOMONT

TO

COLONEL ABRAHAM DE PEYSTER.

[*Originals in the possession of the New York Historical Society.*]

BOSTON, *the 9th of Jan'y*, [16] *'99.*

SR. I have yours of the 26th of last month, and desire you will be as good as your word in getting the four hatts made, and sent to *Barbadoes.*

I desire you will deliver the Inclosed Letter to Mr. LATHAM with your own hand, and pray Incourage him all you can to proceed upon cutting the Ship Timber that I have directed him. I have got the sizes and scantlings of such Timber as will be proper for the King's use, and have now sent an acc't of them to Mr. LATHAM. You will do well to Injoyn Mr. LATHAM to take speciall care to cut none but such as is principall and choice Timber, and to do it as cheaply as he can reasonably afford it. It behooves you to take some pains with LATHAM, so that the King may be compensated for putting the ship Fortune upon him, which I am in some apprehension the Ministers will resent as a misconduct in the Lt. Governor and Councill of N. York; and there is no way of repairing the King, but by sending him that Ship's Loading of choice Timber, and at a cheap rate.

As to the report of my Lord CORNBERY'S* coming over Governor, if it were true I should be very easy; but I do not at all believe it, the more for its comeing from DELLIUS, who, we all know, has a notable Talent at lying.

* Lord CORNBURY succeeded 3d May, 1702, after the death of BELLOMONT.

I cannot draw Bills of Exchange for money in Engl'd till I have advice that the arrear Due to the souldiers is received. There came a ship in here from England on Sunday last, after twelve weeks' passage, but I had not one letter by her. The Master tells me that Capt. MASON, Master of the ship BELLOMONT, had severall packets for me; he was sailing out of the Downs, along with this ship, but the wind chopping about, he fears Capt. MASON was forced back again.

I am heartily glad of your good Luck, in your ships comeing in from the *Madeiras*, at a time when there is such a scarcity of wine at N. York.

I desire you will make some safe bargains w'th Mr. LATHAM, and furnish him with money. I shall by next post write to Coll. CORTLAND to pay you all the arrears of my salary. I wish you would take a copy of my Letter to Mr. LATHAM, which I have not time now to send you. My Service to Madm. D– PEYSTER.

I am

Your humble Servant,

BELLOMONT.

BOSTON, *the 22nd Jan'y*, [16] *'99*.

SR. I have got the gout in my right hand, and cannot yet write to you my Self. The Pipe of wine last come from the *Madeiras*, must be delivered to my Cousin NANFAN, but the Box of Sweets* is a present from Mr. BOLTON, the Consul, to my Wife; therefore I desire you will send it by the first opportunity to her.

I recommended your business with Mr. VAN SWEETING to my Lord Chancellor and Mr. Secretary VERNON, and drew up a state of your case with my own hand, as well as I could, and sent to each of them; but then your freinds that solicits your business in London, must apply to my Lord Chancellor and Mr. Secretary, with great Caution and discretion; for men of their upright character will not care to be solicited in a matter of that nature. Our last ship went for England about Ten days ago, so that I cannot have an opportunity of writing again about that business of yours till Spring.

I desire you will not faile to take a speciall care about the Ship Timber, which I writ to you of last post, for I look upon my Reputation to be much concerned in that matter.

I send you a Copy of Mr. BOLTON'S Letter to me, that you may see what

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* The word is doubtful.

he writes, and what he Challenges as due to him upon the Balance of the account.

I hear the Jacobite party in N. York have named a new Governor, before the King has thought fit to name one; and I am also told they lay Waggers that I shall not go any more to N. York; but for all that, I desire you will bespeak me Two pipes of good ale and Two pipes of small beer at Albany or Schenectady, which I would have laid in at N. York, against my goeing thither. Pray charge the man you bespeak it of to boyle it very well, and to make it as good as possibly he can.

I have writ to Coll. CORTLANDT, by the post, to pay you what money is due to me of my salary, which I desire you will call to him for. My Service to Madam DE PEYSTER.

I am, your humble Servant,

BELLOMONT.

BOSTON, *the 5th of Feb'y*, [16] *'99*.

SR. I have your letter of the 22d of last month, but have rec'd no Letter from Mr. LATHAM, as you made me expect, by this post. The Scantlings of Ship Timber I mentioned in my Letter to him, are for a first-rate Man-of-War. If he cannot get Timber of so large a size, I would have him get as near those sizes as he can, for, the bigger and larger, the better. If he does not make haste to cut the Timber, he will lose the proper season of the year; therefore, I beg of you to hasten him all that ever you can, and give him Incouragement that I will be very kind to him if he uses me faithfully and well in the Ship Timber.

I have writ very pressingly to Coll. CORTLANDT to pay you my full arrear of Salary, which I hope he will do, especially if you Dun him a little for it.

If the other Hatter you mention will make the four Hatts I bespoke as well as YARRINGTON, I shall be satisfied that he make them.

The Two Merchant Ships that have Letters for me from England, are not yet arrived, but the advice Man-of-War, a 4th rate, Capt. WYNN, Commander arrived here last Saturday, in six weeks, from Portsmouth, and brought me orders from the King to send home all the Pyrates and their Effects. The Ministers continue to write to me with great Kindness, and tell me the King is very well pleased with my administration in my Governments. If the angry Gentlemen of N. York have their Intelligence from better hands than the King's Ministers, or of a Later Date than the 10th of last December, then I shall

believe they are very deep in the secrets of the Cabinet; and if they can prevail by their Interest to make a new Governour of New York, with all my heart what please the King shall please me. Our Service to Madam DE PEYSTER.

I am,

Your humble Servant,

BELLOMONT.

BOSTON, *the 19th Feb'y, 1699.*

SIR. I find the Letters which I writ to England about your business, are rec'd, for I have answer to them.

I am very thankful to you for your care in Imploying Mr. LATHAM to provide the Ship Timber. I desire you will continue your care in Incouraging of him to the speedy and exact performance of that service, wherein you can never oblige me more as long as you live. If I imploy any body at New York to go home Master of the ship Fortune, it shall be that SYMMONS that you mention, because you recommend him; but I would not absolutely engage myself to him as yet, because possibly some reason may offer in the meantime why he may not be so proper a man for such a Trust.

I desire you will take care to send the Inclos'd to Mr. BOLTON, the Consul of the *Madeiras;* and that you will also send the money he charges in his acc't as due by me to him. I have sent to him for three pipes of wine—one whereof I have bespoke to be white Madeira. I desire you will give the Master of your ship particular charge of my pipes of wine, and that you will send as much money in Bits* as will pay for those three pipes.

My Cousin NANFAN will show you part of a Letter from one of the King's Ministers to me, by this Man-of-War, w'ch I have already copied exactly from the said Letter. I do assure you I have had Letters by the same ship from almost all the Ministers, full of expressions of kindness, and approving of and Commending up my Administration in my Governments.

My Service I pray to Madam DE PEYSTER.

I was yesterday on horseback, and rid four or five miles, but am yet weak, especially in my hands, so that I cannot write without Trouble.

I am,

Your humble Servant,

BELLOMONT.

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* *Bits*—Probably PISTAREENS (Spanish and West Indian), of which there were as many as a half dozen (or more) kinds, bearing different dates and varying slightly in value—from 16 to 18 cents U. S. currency.

BOSTON, *the 17th of March*, [16] '99.

SIR. I am heartily vex'd to understand from my Cousin NANFAN that LATHAM has not yet cut the Timber I directed, for now the Spring is so forward that they will perceive, when it comes into England, that the Timber was not cut in the proper season. This will be reckoned a fault in me, that after I have given an account home of my design of sending that Ship Loaden w'th Ship Timber, I should come off so poorly as to send what is not good or in season. I fear this neglect in LATHAM is not to be retriev'd.

I shall not venture to order the money you writ about in your last letter for bringing stores from England formerly, till I go to New York, and then advise with the Council about it.

I have writ to my Cousin NANFAN to appoint Mr. WALTERS Judge in your stead *pro hac vice*.* I am quite out of money here, and must draw on Coll. COURTLANDT for 50£, unless you have received my Salary from him. Our Service to Madam DE PEYSTER. I am,

Your humble Servant,

Coll. DE PEYSTER. BELLOMONT.

PESCATAQUA, *3d Aug.*, [16] '99.

SIR. I hope this Letter will find you safely arriv'd at York, where I wish you may meet your family and friends in good health.

I desire you will not faile to send me a copy of the French Lady's letter to her Paramour, Mr. DELLIUS, about the big belly she lays to his charge; and, if it be possible to recover the original Letter, I desire you will get it for me, and send it by the first post. I intend, next post, to write to Coll. COURTLANDT, to pay you the arrear of my Salary, and also the growing Income thereof monethly, as it becomes due. I have not time now to write to him. I wish you would tell Mr. LEISLER that I cannot move the King to get his father's debt order'd to be paid, for want of GOVERNEUR'S and other people's testimony, on oath, that they saw Capt. LEISLER'S bookes and that there was such a sum due, as Dr. STAATS and GOVERNEUR told me; but the sum they mention'd I have forgot. Let this be done Immediately, if they are able to Swear to it; it must be drawn up handsomely, that I may transmit it to England.

I desire you will find out some honest, able ship carpenter at York, to send along with RYER SCHERMERHOORN, to view the woods on Mr. DELLIUS'S

* "*Pro hac vice.*"—"For this term," or, "For this time;" *i. e.* "For this occasion."
Col. DE PEYSTER and ROBERT WALTERS were Puisne Judges of the Supreme Court.

biggest Grant,* and to bring me an exact account whether there be any Pine or fir Trees big enough or long enough for Masts for the King's ships of War, from 30 inches to 48 inches in diameter, and whether there grow any quantity, and how convenient for a water carriage. That is, whether they grow near the river, that they may be floated down the river to York. He must be very particular in his account and very exact, that I may send it to England; and I would have him also bring an account what other sorts of well grown Timber Trees of oak or other trees he meets with there, and he must go over all that Land to view the woods, which I would have him put into writing. Therefore, the man you send ought to know how to write. There was also some other part of the Country which RYER SCHERMERHOORN, and, I thinke, the Mayor of Albany, told me of, where they said there grew good masts for ships. I desire you will appoint the Carpenter to go thither along with RYER; also, I leave it with you to make the bargain with the Carpenter, and I will perform it with him; and if he wants money to bear his charges, I desire you will advance it, and stop it out of my Salary. Pray send the account as it stands between you and me. I desire you will take all possible care to preserve the ship Fortune, and I will send her to England, next Spring, with naval stores to the King. Let me hear from you every post. Myne, with my wife's kind Service to your selfe and Madam DE PEYSTER.

I am Your very affectionate Servant,

BELLOMONT.

I have receiv'd your Letter from Boston. I desire to know when the next ship goes to England, that I may send the pipe of wine.

BOSTON, *21 Aug.* [16] *99.*

SIR. I am very glad of your safe arrival at York, and I must tell you we misse you here, where you are in the favor and good opinion of every body. If Dr. STAATS and Mr. GOVERNEUR'S† memories are too short in respect to the debt due to Capt. LEISLER, I know not which way to move the King in behalf of Mr. LEISLER, for, unlesse the debt can be ascertained, it would be most ridiculous for me to ask the King to refund to the heir of Capt. LEISLER a debt of I know not what sum. Therefore I advise you to call Mr. LEISLER,

* See SMITH'S *History of New York*, page 159, Edition (Albany) in 1 Vol. of 1814.

† ABRAHAM GOUVERNEUR, Member from Orange County; married Gov. LEISLER'S daughter, the widow of MILBORNE.

Dr. STAATS, and Mr. WALTERS and Mr. GOVERNEUR together, and see what they can say to refresh one another's memory in that matter; otherwise it will be Impossible for me to do Mr. LEISLER the Service I am desirous to do him.

I would willingly send my pipe of wine to England, but JEFFERS is so Crosse a fellow, and not my friend, that I am not willing to venture it by him, least he should play tricks with it out of spite to me: but, where there is a good opportunity, I will desire the favor of you to have it shipp'd, and sent to England. My Cousin, NANFAN, has the key to the Cellar where the pipe of wine is; it was left by JOHN, my butler, with ROBERT, the Coachman's Wife. You may Call to 'em for it, and send the wine when you see convenient; but I believe the pipe must be fill'd up, which I desire may be done with good wine. When the ship is almost ready to saile let me know, that I may write a letter, to the person I send the pipe of wine to in England.

I desire you will let me know pr next post whether the battery which Coll. FLETCHER sold, or granted away to EBENEZER WILSON, be entirely built on in N. York, and whose land it was he made batteries on in the war time. Mr. LEISLER I believe was one, and I think a quaker another — GEORGE HEATHCOTE is the Quaker's name, as I thinke. But, pray, inform your selfe of this particularly, and let me know.

You must by all means get me that Letter from the woman in Canada to DELLIUS, and send it me by next post, if it be possible, for 't will be of great use to me.

I am not at all pleased with your present Sheriffe, DE RYMER.* I hear he returns such Juries as do the King all the wrong in the world, upon all the Tryals of unlawful things and goods. I know not whether I have reason to like GOVERNEUR better than DE RYMER. The not sending home an agent from the Assembly to withstand the Indeavors of BAYARD DELLIUS, and all the knaves of that party, was the foolishest step that was ever made. I told Dr. STAATS enough of it, but could not get him to apprehend the Importance of it; and, it seem'd to me, that Volatile Speaker, GOVERNEUR, acted in concert with his Predecessor, and was false to his party. New York is an unhappy place, that there is not better choice of men to serve the King and their Country. My wife fell very ill on the road between Pescattaqua and this place; but, I thank God, is somewhat better. Our kind Service to Madam DE PEYSTER; mine to Dr. STAATS, Mr. WALTERS, and your brother. Pray let me hear from you what passes at York; and, be assured that, I am,

Your very affectionate friend and serv't,

BELLOMONT.

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* This must be DE RIEMER. See V. H. N. Y., page 233.

Mr. SCHERMERHOORN, whom I writ to, to go and view some trees fit for masts for the King's ships, and send me word where they grew, and of what bigness they were, has answered my Letter, but tells me not where the trees grow, only says there are a good store, and large enough for the King's use. He desires I would grant him and the Mayor of Albany the Land where they grow, w'ch is 6 miles long and 2 broad, which is making a bargain with the King, and not dealing candidly with me. Pray, chide him and the Mayor of Albany for their disrespect to the King, and disingenueity to me. Besides, I have complain'd to the King of Coll. FLETCHER'S extravagant Grant's of Lands—and shall I commit the same fault and absurdity my selfe, that I have accus'd FLETCHER? Pray, let me know whether Dr. STAATS is likely to prevail with LUPARDUS and NUCELLA, to write to the Classis of Amsterdam and the Dutch Ministers in London, to prevent DELLIUS'S ill designs and Lyings. Pray, send me a barrel of the best flour by the first sloop.

BOSTON, *28th Aug.*, [16] *'99.*

SIR. I thank you kindly for your Care in Imploying LATHAM to go and view the woods along with Mr. SCHERMERHOORN. Mr. LEISLER* being here, I will make up of Dr. STAATS and Mr. GOVERNEUR'S affidavits, for his Interest and Service, and will send them to such hands in England as will make, I hope, a right use of them.

I have not now Time to look over your account, though I am under no doubt with you—(having an entire opinion of your sincerity and uprightnesse)—nor yet to order Coll. COURTLANDT to satisfie my debt to you; but by next post you may expect it.

I will not faile to write to the Ministers, in whom I have an Interest, in your behalf; and will transmit them a state of your Case, exactly as you have now sent it to me. I am now engaged in preparing packets for England, to send by a ship that will go the end of this week or beginning of the next; and then you shall not be forgot. My wife and I present our kind service to Madam DE PEYSTER. She bids me tell you the Letter Madam DE PEYSTER was to write to her is forgot, and she upbraids you for deluding her w'th such false hopes.

I am,

Your very affectionate friend and servant,

BELLOMONT.

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* Son of the "remarkable" and deservedly distinguished Gov'r, JACOB LEISLER, executed for treason in 1691, whose innocence was subsequently established, the attainder reversed, and his property restored to his family through the exertions of his son—by whom the loyalty of his father and of his brother-in-law, MILBORNE, and the machinations of their enemies, were plainly made manifest.

[*On the back of the letter is the following:*]

Mr. WEAVER is certainly Collector of N. York, and has the King's Commission for it, as Sr. JOHN STANLEY writes me a word in a Letter I rec'd from him this last week; and Mr. WEAVER writes in his last Letter he had kissed the King's hand for it, and had got the King's Warrant for preparing his Commission under the Great seal of England. I hope you have prevail'd w'th Dr. STAATS, and those that have an Influence on Mr. NUCELLA and LUPARDUS, to get them to write to the Classis of Amsterdam to defeat DELLIUS'S knavish designs. The LEISLER party had done well to have subscrib'd Certificates against DELLIUS, as his friends did for him, and to have sent them to me.

BOSTON, *4th Sept.*, [16] '*99*.

SIR. I cannot perform my promise of Looking over your account as yet, for I am Ingaged at present, and have been so all this last week, in writing packets or volumes of Letters to England by a ship that pretends she stays for me.

I writ to my Cousin NANFAN, last post, to Let the City of N. York have ye stones of the old bastion or batteries To build their Town-house.

I am not dissatisfied with the Sheriffe, since my Cousin NANFAN and you vouch so for his honesty; but he should have taken more care of BUCKMASTER.

I have writ to my Cousin NANFAN, this post, my reasons why it will not be fitt to Continue the same Mayor and Sheriffe another year for the city of N. York.

As soon as you receive the original, or a Copy of the Letter to DELLIUS from the French woman at Canada, I desire you will not fail to send it To

Your very affectionate Servant,

BELLOMONT.

Our Service I pray to Madam DE PEYSTER.

Mr. LEISLER tells me an ugly story of Mr. GRAHAM'S design of Cheating him of a house-plot at N. York. I desire you will send for Mr. WALTERS privately, and advise him to Caution old Mrs. LEISLER (with whom her son has

left a Generall Letter of Attorney) not to part with that piece of ground to GRAHAM, nor anything else. That man will undo himself with his knavish Tricks. One would thinke he has guilt enough on his head, for being the Principall author of the murther of LEISLER and MILBURN; but, it seems, bathing his hands in the blood of the Father is not enough, but he will also cheat the son. I am content that you show this Letter to Mr. WALTERS; and pray get him to send me affidavid of Mr. GRAHAM'S Insinuations to his Father, LEISLER, and himselfe, to procure their Interest to be chosen a member of the Assembly; w'ch they were prevail'd with to do, and afterwards he became LEISLER'S and MILBURN'S mortall Enemy. This account Mr. WALTERS told me once or twice.

Dr. STAATS also told me how he was affronted, and threatened by a Papist in the field, when the Election was of members to serve in New York, in that very Assembly that worried Mr. LEISLER and MILBURN to death, under the conduct of Mr. GRAHAM. Let me also have Dr. STAATS' affidavit of that; and some proof of Maj. TREADWELL'S imprisonment to hinder either his being Chose, or his sitting in Assembly after he was Chose. If it be possible, let me have these evidences next post.

BOSTON, *Sept. 9th*, [16] *'99*.

SIR. I have receiv'd yours of the 4th Inst., and will not faile to write to England ab't your affair with VAN SWEETON w'th this packet, w'ch I am to send away within 4 or 5 days.

I am very sorry I have not the Letter to DELLIUS to send home. I desire you will speak to Mr. WALTERS to deliver you upon oath what was transacted between Mr. GRAHAM and him at the time GRAHAM prevail'd w'th Capt. LEISLER and him to make an interest for GRAHAM'S being chose to the Assembly, that press'd Coll. SLAUGHTER to take away the lives of Capt. LEISLER and Mr. MILBURN, as I writ to you in my last Letter. And, pray, get Dr. STAATS' affidavit, as I desir'd in that Letter. 'T is wonderfull to me that Dr. STAATS and the rest of LEISLER'S Party have not, in all this time, got counter-subscriptions, sign'd by their party, at Albany, against DELLIUS, as the other party got subscriptions in favor of DELLIUS. They are just the people that WILL. NICHOLS paints STAATS to be, in his pamphlet, Impenetrable B———. [blockheads?]

When you hear any news from SCHERMERHOORN ab't the Trees for masts, pray let me know it. My wife's and my Service to Madam DE PEYSTER.

I am,

Your affectionate friend and servant,

BELLOMONT.

I have writ to Coll. COURTLANDT to pay you my arrear of Salary, and for ye time to come to pay it to you monthly, as it grows due.

Coll. DE PEYSTER.

BOSTON, *the 30th Oct.*, [16] *'99.*

SIR. I desire you will immediately send for Mr. LATHAM, the ship Carpenter, and Ingage him to set about Cutting and Squaring such a quantity of Ship Timber as will load the Ship Fortune against the Spring, when I will send her so loaden to Portsmouth, in England, for the use of the King's Navy. The question will be, whether LATHAM be well affected and honest, and will cut such Timber as is choice Timber. The four sorts w'ch I understand are fitted to be sent to England, are knees, planks, beams, and wale pieces. The next best thing to the cutting of principall Choice Timber, is the doing of it Cheap—wherein I desire you will contrive all the ways you can think of, for my credit. If 3 or 4 souldiers will be useful to Mr. LATHAM to help in felling of Trees, my Cousin NANFAN, upon sight of this Letter, will order so many of them, if so many can be found that will or can work; and I will allow such souldiers 4 shills. per week over and above their present subsistence. Pray, take more than ordinary pains to agree w'th LATHAM at as cheap a rate as possibly you can. My wife's and my kind Service to Madam DE PEYSTER.

I am,

Yr. very affect. friend and servant,

BELLOMONT.

[*On the back of the Letter is the following:*]

I will not fail to recommend you to England, for the supplying the frigat at N. York; and I hope ere long to Imploy you in a businesse that will be five times more profitable than that. Pray, write me word, next post, what agreement LATHAM and you are like to come to. I would have you acquaint my Cousin NANFAN w'th the steps you make in that matter, and take his advice in every p'ticular ab't it.

I hope you have taken care to return another 100£ to Mr. PALMER, in beaver skins, or logwood, or something; and if you have not done it, I desire you will not faile to do it by next ship, and send me word of it with the master's and ship's name, that I may give Mr. PALMER'S advice of it from hence.

[*This is another Letter—date gone.*]

I have rec'd yours of the 8th Inst., and have writ to my Cousin NANFAN, to stand by and support LATHAM in cutting and bringing away the Timber. I have letters from England by MASON, but the dates so stale that the news and accounts must be so too. The Ministers seem pleas'd with the act of Assembly of N. York for vacating the extravagant Grants of Lands. We have no news of Mr. Goodwin's receit of the 50£ you remitted to London for my wife. Pray, let me know if your Correspondent has given you any account of paying that money.

I have writ to Coll. COURTLANDT, this post, to quicken him in paying you all that is due of my salary—tho' he has promis'd, in his letter, this post, to do it out of the first money he receives. In his account sent out a month ago, he charges me with 300£, which I order'd to be paid to Coll. SCHUYLER, for victualling, soon after coming into that province; but I have now writ to my Cousin NANFAN, to p'cure an order of Council for placing that debt on the Revenue, there being no reason in the world I should pay it out of my salary. Therefore, there will be 300£ more for you to receive for me—only that I am willing to Lend my Co. NANFAN 50£ of it. I desire you will not faile to . . . . . for charging that sum . . . . . and when that's done, to solicite Coll. COURTLANDT for the payment of that, and all the rest of my arrear of salary to you.

My wife desires yours and Madam DE PEYSTER'S care in Looking after the necklace of pearl. She has sent you a role of Tobacco lately, sent me from Virginia, by Coll. JENNINGS, w'ch she hopes will prove as sweet-scented as any you have smoak'd this long time. 'T is deliver'd to one TELLER, the master of a sloop, which is to sail the first fair wind to N. York.

Pray, take care about providing suitable goods for the Indians, against my going to Albany, as I desired you in my last. Our affectionate service to Madam DE PEYSTER.

I am your affectionate friend, and humble servant,

BELLOMONT.

Pray, do not fail to speak to my Co. NANFAN, to order Coll. COURTLANDT to pay you the price of the ship Nassau, w'ch Mr. GRAHAM gave his opinion belonged wholly to me, as being a wreck, and Mr. NEWTON is of the same opinion here. There's no reason Coll. COURTLANDT should keep the money all this while in his hands, and I perceive he would willingly to the end of the Chapter.

Coll. HAMILTON writes to a person in this Town that the faction . . . k desire that DE . . . . not return to Albany. Pray, let me know how you feel by that piece of news.

BOSTON, *the 24th.*

SIR. I have rec'd, this post, your Letters of the 8th and 18th Inst., and am glad you have Imployed Mr. LATHAM in Cutting the Ship Timber, and hope he will perform that service according to my expectation. I writ last post to the Lieut.-Governor, to appoint Mr. WALTERS Judge of the Superior Court.

I am heartily glad of your victory agt. VAN SWEETEN in England. I am also glad of your two ships coming laden from the *Madeiras*, w'ch will supply new York plentifully w'th wine; and I hope you will find your account largely therein.

I desire you will let me know what you take to be the Cause of the present scarcity of money in N. York. It would make one believe merchants there send it to England in specie, as the merchants here do.

I have writ, this post, again, to Coll. COURTLANDT, to pay you all the arrears of my salary. He shall find, in a little time, that I know when I am ill us'd, for I can take away when I please the benefit he has of furnishing the Fort with wood, and other things, and paying workmen, w'ch I believe he makes more than ordinary advantage of, and also of victualling the Companies —and of this last article . . . . . a good advantage, when the subsistence is paid in England. I am now in a way of making that matter certain, so that the victuallers shall, for the time to come, receive their money duly.

My wife presents her thanks and service to Madam DE PEYSTER, for her kind Letter. She has a pain in her head, or she would answer it this post: she desires by all means Madam DE PEYSTER will be so kind as to secure the pearl necklace for her, if it be good and Cheap.

I draw on Coll. COURTLANDT, this post, for 56£ 5s., by bill of exchange, payable to JOSEPH BUENO, the Jew, at ten days' sight. I wish you would watch whether COURTLANDT be carefull to save my credit. Perhaps he may be such a brute as to let my credit suffer, and not accept my bill: but I will

then Immediately turn him out of all. I dare not meddle with a farthing of the 2,000£ tax till I have the King's leave. I am quite out of money. I hope to see you at N. York the latter end of June. My service to Madam DE PEYSTER. I conclude.

Your very affectionate Friend and Servant,

BELLOMONT.

Against next post, I will examine Coll. COURTLANDT'S account of my salary, which I have not yet had time to do.

BOSTON, *the 5th April, 1700.*

SIR. I receiv'd not yours of the 25th of last month till this day—the post having been stopped four or five days on the way hither by the bad weather.

I am very thankfull for your kindness, in supplying me with the Two 50£ bills of exchange; but having drawn last post on Coll. COURTLANDT for 50£, I shall have occasion but for one of the Bills, and do now return you t'other.

I am glad you write me word that Mr. LATHAM is proceeding in cutting the Ship Timber, which I desire you will Incourage him in, for I set my heart much on that matter.

I have directed a message to be carried to the 5 Nations, by Coll. SCHUYLER, Mr. LIVINGSTON and Mr. HANSON, and JOHN BAPTIST VAN EPP is to go Interpreter with them. They are to go no further than to the Onondaga's Castle, and are to send my message to the other Nations by some trusty Indians. They have my instructions, in writing, what to say to the Indians, and how to behave themselves in every respect. I have appointed all the Sachems of the 5 Nations to meet me at Albany on the 10th day of next August, and the messengers are to tell them that I intend them then a good present. I desire you will keep this private a while, tho' long it will not be a secret at Yorke, because I have writ to the Commiss'ers at Albany of my design. I wish you would advise me, too, how I may secure a quantity of such woolen clothes as are fit for the Indians, viz: shrowds and dresses, &c., and not pay so extravagant rates for them, as I did the last time I went to Albany, and there must be Linen for shirts for them too. I would gladly have you and Mr. LIVINGSTON concern'd in furnishing those things, provided I may be reasonably used, and I will undertake to pay you in 3 months' time. I intend as good a present to the Indians as ever was yet made them, and from thence you may

take your measures as to the quantity you are to provide. I am told those woolends may be had 20 per cent. cheaper than at York; but I hope you will take such a course, as I may not be abus'd in the price. I would employ you singly in the affair, but that I am obliged to Mr. LIVINGSTON, and would not willingly put any slight upon him. Besides, I believe I must lodge at his house at Albany.

We are in fear that the ship commanded by MASON and HORTON, and the brigantine by JONES, are all three lost.

Pray, give my service to your brother, the late Mayor, and to Dr. STAATS, Mr. WATERS and Mr. GOVERNEUR. Tell Mr. GOUVERNEUR I rec'd his letter and news, and thank him for it, but have not time to write to him.

I desire you will Inquire whether there has been any news at York of Mr. LEISLER'S arrivall in England. I sent a packet to England by him, to the Ministers—but have not since heard of him or from him.

Let me know if it be True if Mr. HUNGERFORD is married to Mistress BOND.

My wife desires the favor of Madam DE PEYSTER, to buy her the pearl necklace, if they be good and reasonably cheap. So, w'th our kind service to her, I conclude.

Your affectionate friend and humble servant,

BELLOMONT.

BOSTON, *the 12th of May, 1700.*

SIR. I had not time to write to you last post, to tell you I receiv'd yours of the 29th of last month, w'th 3 papers inclosed, viz: a bill of loading signed MATHIAS DE HART, another signed JOHN VAN BRUGH, and a copy of Coll. COURTLANDT'S account of the price of the ship Nassau.

Yours of the 6th inst. I rec'd last night. I desire you will deliver the Inclosed letter to Capt. EVERTSON, for the Governor of Kickoverall. When I come to York, it will be time enough to endenize Capt. EVERTSON, and so tell him. I had a letter from Mr. GOVERNEUR about itt this post.

I am glad the new Town-house is so far advanced. I fear by Mr. LATHAM'S stay so long in the woods, he will make that Ship Timber I bespoke very chargeable, w'ch will spoil the good grace of the matter.

Our kind service to Madam DE PEYSTER. I am,

Your affectionate friend and servant,

BELLOMONT.

Dr. STAATS writes Coll. ROMER word that SPENCER is come from England, and says he heard FLETCHER* say he would have me out of my Governments, tho' it should cost him 10,000£. Pray, let me know the truth of it, but make the inquiry as privately as you can.

DE RIMER, the late Sheriffe, and Mr. GOUVERNEUR, have plaid the fool extremely, for taking such a foolish bond for SHELLEY'S appearance. I believe I shall be directed from England to prosecute them both for putting such a fraud upon the King, for it can passe under no better a name.

BOSTON, *the 8th of June, 1700.*

SIR. I am glad of your safe return home from your circuit. I have had no letters from the Ministers by the two Ships lately come from London, except one from my Lord Chancellor, and two or three from particular friends. It seems Mr. WEAVER sent the Ministers packets by JEFFERS, to N. York, who is, I hope, arriv'd there by this time. I am afraid LATHAM will have made that Timber he is about very chargeable, which will spoil my design in a great measure.

I am quite out of paper, and this town affords none that is good. Our kind Service to Madam DE PEYSTER.

I am your affectionate friend and Servant,

BELLOMONT.

Pray, call on Mr. CLARKSON for my fees, and receive them for me. I believe I shall be forced to find another Secretary, that has sense enough not to betray the Secrets of the Government. HUNGERFORD must have had notice of the writts for arresting, from CLARKSON.

BOSTON, *the 7th July, 1700.*

SIR. LATHAM'S account has frighted me—it seeming to me a most extravagant one. I can only tell you that Mr. PARTRIDGE, for 300£, loaded a ship of 260 Tons, at Pescattaway; and the ship Fortune, which is but of a 130 Ton, will, at this rate, take a load that will cost 306£. 6s. 2½d. I desire you

*Col. BENJAMIN FLETCHER, Governor of the Colony prior to BELLOMONT.

will forbear paying the money till I get to York, for I am not at all satisfied with LATHAM'S account, and his usage of me. I had better have had the timber provided at Pescattaway than have run the hazard of being so cheated, as I find I am like to be.

My wife and I are thankfule for your kind Invitation to your house, but we are Loath to be Troublesome to you, and therefore Intend to go directly to the Fort, and there take up our quarters. Our kind service to Madam DE PEYSTER.

I am your affectionate friend,

and humble servant,

BELLOMONT.

I intend to embark next Friday, God willing. I believe the Timber ought to be shipped out of hand.